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COSTA RICA-PANAMA ARBITRATION

DOCUMENTS

ANNEXED TO THE

ARGUMENT OF COSTA RICA

BEFORE THE

ARBITRATOR

HON. EDWARD DOUGLASS WHITE

CHIEF JUSTICE OF THE UNITED STATES

UNDER THE

PROVISIONS OF THE CONVENTION BETWEEN THE REPUBLIC OF COSTA RICA
AND THE REPUBLIC OF PANAMA, CONCLUDED MARCH 17, 1910.

VOLUME I.

1913.

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IN 1907

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HON. EDWARD DOUGLASS WHITE

CHIEF JUSTICE OF THE UNITED STATES

1907

THE ARBITRATION OF THE DISPUTE BETWEEN COSTA RICA AND PANAMA
BY THE ARBITRATOR, EDWARD DOUGLASS WHITE, CHIEF JUSTICE OF THE UNITED STATES

VOLUME I

THE COMMISSIONERS OF THE ARBITRATION
WASHINGTON, D. C.

INTRODUCTION.

The documents on which the Republic of Costa Rica bases its legitimate territorial rights involved in the questions of boundaries with the Republic of Colombia have been published by Don León Fernández¹ and Don Manuel M. de Peralta,² and form a total of sixteen volumes.

Of this great mass of documents a number are now translated and published in English in order to facilitate an understanding of the boundary dispute in which Costa Rica is now engaged with Panama, Colombia's heir to the territory of the ancient province of Veragua that bounds Costa Rica on the south-east.

With these are also published translations of certain documents relating to the arbitral proceeding between Costa Rica and Colombia in which the President of the French Republic acted as Arbitrator; also several bearing dates subsequent to the Award of Rambouillet, and a number of others that will serve to confirm the legality of the territorial rights that Costa Rica has always maintained, and still maintains,—rights that have been violated, first by the usurpations of Colombia, and, later, by a vital error in the Arbitral Award of 1900.

¹ León Fernández—*Documentos para la Historia de Costa Rica*, 10 volumes. San José de Costa Rica, 1881, 1882 and 1883; Paris, 1886, and Barcelona, 1906.

² Manuel M. de Peralta—*Costa Rica, Nicaragua y Panamá en el Siglo XVI*. Madrid, 1883. *Costa Rica y Colombia*. Madrid, 1886. *Límites de Costa Rica y Colombia*. Madrid, 1890. *Costa Rica y Costa de Mosquitos*. Paris, 1898. *Juridiction territoriale de la République de Costa Rica*. Paris, 1899. *La Géographie historique et les Droits territoriaux de Costa-Rica*. Paris, 1900.

Letter of Christopher Columbus Written to the Catholic
Sovereigns on His Fourth Voyage—Discovery of the
Provinces of Costa Rica and Veragua—Foundation of
the Colony of Belén.

Doc. 1

JAMAICA, July 7, 1503.¹

* * * * *

I arrived at Cape *Gracias á Dios*, and, departing from thence, the Lord vouchsafed to me a favoring wind and current; it was the twelfth of September. For eighty-eight days a most dreadful tempest pursued me, and so great was it that neither the sun nor the stars could be seen upon the sea; my ships were leaking, the sails torn, the anchors, the rigging and the cables, as well as the vessels and a great deal of the victuals, were in a ruinous state; the men were very sick, and all very penitent. Many among them made vows to enter into religion and there was not one who did not make some vow or promise to make pilgrimages; in many instances they confessed each other. Of course we have seen many other tempests, but never any so frightful, nor of such long duration. A number of those whom we believed to be courageous failed greatly and many times. The distress of my son, who accompanied me, wrenched my soul, the more so seeing him so young—but thirteen years old—and enduring such great and such long fatigues. Our Lord endowed him with so much bravery that he encouraged the others and bore himself as though he had been navigating for eighty years; and he it was who consoled me. I fell sick and many times I was near unto death. From a small cabin which I caused to be constructed upon the bridge I directed the course. My brother was in the worst vessel and the most dangerous one. My sufferings were great, and all the greater because I had brought him along against his will; for such is my fate that twenty years of service, full of trials and

¹Navarrete—*Colección de viages y descubrimientos de los Españoles* (Collection of the Voyages and Discoveries of the Spaniards), I, p. 445 and following. Manuel M. de Peralta—*Juridiction territoriale de la République de Costa-Rica*, p. 1. Paris, 1899.

dangers, have profited me but little, so that I do not possess even one brick in Castile. If I wish to sleep or eat, I must go to an inn, or a tavern, and many times I have not wherewithal to pay my reckoning. One further affliction pierced me to the heart: It was the thought of my son, Don Diego, whom I had left in Spain, also alone and deprived of my goods; although I am sure that all and more will be restored to him by just and grateful princes.

I arrived at the country of *Cariay*, where I halted to repair my ships, to procure food and to reanimate the men who were very sick. I myself, who, as I have said, had been many times very near death, there received news of the gold mines in the Province of *Ciamba*, of which I was in search.

Two Indians led me to *Carambarú*,² where the people go naked and wear about the neck a mirror of gold which they were not willing to sell or to part with in trade. They named to me many places on the coast of the sea, where they said there were gold mines; the farthest was *Veragua*, distant from there about twenty-five leagues. I set out thither with the purpose of investigating all of them, but halfway I learned that there were some mines at a distance of two days' journey; these I resolved to inspect on the eve of Saints Simon and Judas, the day fixed for the departure; but upon that very evening there arose such a storm that there was nothing to do but run before it. The Indian who knew the mines was still with me.

In all these places which I visited I have investigated the truth of everything that I have heard reported. This proves to me that there ought also to be some mines in the Province of *Ciguare*, which is to be found, according to them, about nine days' journey by land in a westerly direction. It is said that there is a great deal of gold there and that the inhabitants wear coral upon their heads and large bracelets of gold upon their legs and arms, and that they decorate and ornament their chairs, boxes and tables with gold.

²Diego de Porras and Pierre Martyr d'Anghiera call it *Cerabaró*; Don Fernando Columbus, *Cerabora*; the Padre Bartolomé de las Casas, *Çaravaró*; Captain Calero, in 1550, and Benzoni in 1544, who stopped there, *Zorobaró*; Pierre Desceliers, in his World-Map in 1550, *Carabaró*, and the Royal *cédulas*, indifferently, *Zorobaró* or *Zarabaró*. Note of Manuel M. de Peralta—*Ibid.*, p. 3.

* * * * *

I said that on the eve of the Saints Simon and Judas I ran before the wind without being able to resist it. I was able to keep in the shelter of a port during ten days and there I resolved not to go back again toward the mines, which I considered as acquired. I proceeded upon my voyage in the rain and reached the port of *Bastimentos* where I was unwillingly compelled to stop. The storm and the strong currents forced me to remain there fourteen days and when I departed the weather was not very good. I had already gone fifteen leagues unwillingly when the wind and the current drove me strongly backward, and, returning toward the port from whence I started, I found on the way the *Retrete* (retreat) where I took refuge, not, however, without danger and some difficulties, and worn out as were my men and my ships. I was compelled to stay there for fifteen days, and when I thought I was at the end of my troubles they were only beginning.

* * * * *

When it pleased Our Lord I returned to *Puerto Gordo* where I refitted as far as possible.

I returned again to the coast of *Veragua*, although I was not in a condition to do so. The wind and the currents were still contrary. I reached nearly the same place as before and there the wind and the currents were still against me and I went once more into the port, not daring to await the opposition of Saturn upon such a boisterous sea and near such a bad shore, for very often it brings a tempest or violent storm.

It was Christmas Day, at the hour of Mass. I put back again with much trouble to the place from whence I had set out; but on New Year's Day I returned to the charge, although the weather was not favorable for the voyage, the vessels were in bad condition for service and the men sick or dying.

Nearly exhausted I reached *Veragua* on the day of Epiphany, and Our Lord was pleased to show me a river and a safe port, although at the entrance there were no more than ten hand-

breadths of water. ³ I entered with some difficulty and the next day ill-fortune again overtook me; if I had stayed outside I would not have been able to enter by reason of the bar. It rained there without ceasing until the 14th of February and there was no way of exploring the country nor of helping myself in any way whatever. I was in safety on the 24th of January, when the sudden rise of the stream was so high and so strong that it broke the fastenings and the posts and came near carrying away the ships, which I am sure I never saw in greater danger. But as always the Lord came to our rescue. I do not know if ever there was a man who has experienced so many troubles as I have.

On the 6th of February, in the rain, I sent seventy men into the interior of the country (*la tierra adentro*), who found, at the distance of five leagues, many mines. The Indians who accompanied them conducted them upon a very high mountain and from there, pointing out to them all the territory that had been discovered and further than one could see, they told them that everywhere there was gold, and that towards the West there were some mines at a distance of twenty days' march and named to them the villages and the places where it would be found in more or less quantity. Since then I have learned that the Quibian, who had furnished these Indians, had directed them to go a long way to show the mines of one of his enemies and had them say that in the village of the latter a man could, whenever he wished, collect in ten days' a shovelful of gold. I take with me the Indians, servants of the Quibian, who are witnesses of it. The vessels reached the place where he has his village.

My brother came back to me with his men and all brought gold collected during the four hours that they stayed there. There

³ The River of *Belén*. Don Fernando Columbus says that the Indians called it *Kiebra*. Don M. Fernández de Navarrete places the River *Belén* at 74° 35' West of the meridian of Cádiz; that is to say, at 80° 47' 40" longitude West of Greenwich. The hydrographic charts of the British Admiralty, considered to be the most exact and adopted by the official map-makers of Colombia, Codazzi, Manuel M. Paz and Ponce de León, locate the River *Belén* at 80° 51' longitude West of Greenwich and 8° 54' North latitude. Note of M. M. de Peralta—*Ibid.*, p. 5.

In the official map of the Republic of Panama, published by Ramón M. Valdés in 1909, the River *Belén* is located at 80° 50' 40" West of Greenwich.

must be a great deal of it, because none of the latter had ever seen any mines and nearly all brought back some gold. They were for the most part sea-faring people, nearly all of them ship boys.

I was provided with everything needed for building and with plenty of provisions, and I founded a colony (*pueblo*). I also made many presents to the Quibian, that being the name given to the ruler of the country, but I felt very sure that peace would not last very long between us, for the inhabitants were very barbarous and our men very greedy, and so I took possession of their country.

When he (the Quibian) saw what we had done and the activity of our affairs, he resolved to set fire to the colony and to kill us all; but he was not successful and on the contrary he, his women, his children and his servants, became our prisoners. But the captivity of the Quibian was of short duration, for he ran away, eluding the vigilance of a careful man to whom men had been furnished to guard him; and his children also escaped from the ship, where a boatswain had them in confinement.

In January the mouth of the stream closed up. In April the ships were all wormeaten and could hardly float on the water. In the meantime the water cut a channel by which with much difficulty I was able to take out three empty vessels. The boats went back to get some salt and water. The sea became rough and bad and did not allow them to leave. The Indians collected in number, attacked the boats and killed the men. My brother and his men were on board a ship which was left inside. I was alone outside upon this stormy coast, with a high fever and worn out by fatigue. Hope of escape was gone. I climbed painfully to the highest part in the ship and in a trembling voice, weeping, called in the greatest haste upon the war-captains of Your Highnesses, crying for help to the four winds; but they did not respond. Tired out, I went to sleep moaning.

* * * * *

I got up when I could and at the end of nine days the weather became fair, but not enough so to allow the ships to be taken out of the stream. I assembled the men who had been left on shore and everybody that I could get, for there were not enough of them to allow it and to handle the ships. I would have re-

mained to sustain the colony if Your Highnesses had had knowledge of it, but the fear of never seeing any ships arrive there led me to do this, as well as the thought that when succor was brought thither everything would be provided for. I left in the name of the Holy Trinity on Easter night with the ships rotten, wormeaten and all leaking. I left one at *Belén* with many other things. I did the same at *Belpuerto* (Porto Rico).

There were left to me two, in the same state as the others, without boats and without provisions, to make the crossing of seven thousand miles of sea and water, or to die on the way with my son, my brother and so many men. * * * *

Explanatory Note by M. M. de Peralta.

As the reading of a manuscript text of the 16th century may lead to controversy, since it may often happen that the change in the place of a comma will suffice to alter the idea of the author, it will be useful to place before the reader the Spanish text of the letter of Columbus as it was given by Fernández de Navarrete, according to a manuscript now in the private library of the King of Spain, as well as the translation of the same text, reproduced by Morelli and Bossi in 1810 and 1818, following Constanzo Bayuera de Brescia, printed at Venice in 1505, while Columbus was still living.

Here is the fragment of the letter which is of interest in the boundary question between Costa Rica and Colombia:

"Llegué á tierra de *Cariay*, adonde me detuve á remediar los navios y bastimentos y dar aliento á la gente que venía muy enferma. Yo que, como dije había llegado muchas veces á la muerte, allí supe de las minas del oro de la provincia de *Ciamba*, que yo buscaba. Dos indios me llevaron á *Carambarú*, adonde la gente anda desnuda y al cuello un espejo de oro, mas no le querían vender ni dar á trueque. Nombráronme muchos lugares en la costa de la mar, adonde decían que había oro y minas; el postrero era *Veragua*, y lejos de allí obra de 25 leguas: partí con intención de los tentar á todos,

y llegado ya el medio supe que había minas á dos jornadas de andadura * * * *”¹

The text of the Italian translation of 1505 reads as follows:

“Arrivai ad una terra *Cariay* nominata, dove qua mi restai a remediare le navi, e ogni preparamento necessario, e dare riposo alla affannata gente, qual per la lunga fatica era già venuta manco: e io insieme con loro si riposammo quivi. In questa terra intesi nove delle minere di oro della provincia di *Ciamba* cosi ditta, la qual io andava cercando. Quivi tolsi due uomini della loro nazione, quali mi menarono ad un altra terra, chiamata *Carambarú*; dove le genti vanno nude, e portano al collo un specchio di oro, il quale per nissun modo vogliono vendere nè barattare. E in questo luogo mi nominarono in loro lingua molti altri luoghi alla costa del mare, dove mi diceano essere grande oro e miniere; lo ultimo luogo era *Beragua* ditto, lungi da li 25 leghe. Per la qual cosa mi partitti di qui con animo di cercarli tutti; e quasi che era aggiunto al mezzo, intesi come a due giornate di cammino vi era miniere di oro, e deliberai mandarle a vedere * * * *”²

The English translation by R. M. Major, the keeper of the Cartographical Section of the British Museum, etc., reads as follows:

“I reached the land of *Cariay*, where I stopped to repair my vessels and take in provisions, as well as to afford relaxation to the men, who had become very weak. I myself (who, as I said before, had been several times at the point of death), gained information respecting the gold mines of which I was in search, in the province of *Ciamba*; and two Indians conducted me to *Carambaru*, where the people (who go naked), wear golden mirrors round their necks,

¹ Navarrete—*Colección de viajes y descubrimientos que hicieron por mar los Españoles desde fines del single XV* (Collection of Voyages and Discoveries which were made on the Sea by the Spaniards from the end of the 15th century). 2nd ed., Vol. I, p. 447.

² Luigi Bossi—*Vita di Cristoforo Colombo* (Life of Christopher Columbus), Milan, 1818; p. 211.

which they neither sell, give, nor part with for any consideration. They named to me many places on the sea-coast where there were both gold and mines. The last that they mentioned was *Veragua*, which was about five and twenty leagues distant from the place where we then were. I started with the intention of visiting all of them, but when I had reached the middle of my journey I learned that there were other mines at so short a distance that they might be reached in two days.³

And lastly here is the excellent French translation by M. de la Roquette, published in 1828 at Paris; in the *Relations des quatre voyages enterpris par Christophe Colomb*, (Narratives of the Four Voyages Undertaken by Christopher Columbus), a work by Don M. F. de Navarrete:

"J'arrivai à la terre de *Cariay*, où je m'arrêtai pour radoubler les navires, renouveler les approvisionnements et faire reprendre haleine aux équipages, dont la santé était délabrée. Moi, qui avais été plusieurs fois près de mourir, ainsi que je l'ai déjà dit, j'obtins la quelques renseignements sur les mines d'or de la province de *Ciamba*, que je cherchais. Deux Indiens me conduisirent à *Carambarú*, dont les habitants vont nus et portent au cou un miroir d'or; mais ils ne voulaient ni le vendre ni le troquer. Ils me nommèrent plusieurs lieux sur la côte de la mer, où ils disaient qu'il existait des mines et de l'or; le dernier de ces lieux était *Veragua*, éloigné de vingt-cinq lieues de l'endroit où nous étions. Je partis dans l'intention de les visiter tous, et arrivé à moitié chemin, j'appris qu'il y avait des mines à deux journées de marche * * *."

³ *Select Letters of Christopher Columbus*; translated and edited by R. H. Major, F. S. A., etc. Second edition. London. Printed for the Hackluyt Society, 1870; p. 180.

Royal Cédula Concerning the Governments of Veragua and Urabá Conferred Upon Diego de Nicuesa and Alonso de Hojeda. Doc. 2

BURGOS, June 9, 1508.¹

DOÑA JUANA, by the Grace of God, etc.

Whereas, in a certain contract which the King, my Lord our father, directed to be made with Alonso de Hojeda, and with you Diego de Nicuesa, which is by our command for the gulf and territories of *Urabá* and *Veragua*, which is on the part of *Tierra Firme*, there is a clause of this kind:

For which, we appoint you, the said Diego de Nicuesa and Alonso de Hojeda, our captains of the ships and people that go therein, as well as of the said establishments and other parts of *Tierra Firme*, in the following manner:

You, the said Diego de Nicuesa over the country of *Veragua* and the said Alonso de Hojeda over the country of *Urabá*, provided that the said Alonso de Hojeda shall take with him for his lieutenants, Juan de la Cosa, so that the latter may act as our captain in places where the former may not be and as his lieutenant under his orders wherever they may be together; and in this manner we give to you our full power and jurisdiction, civil and criminal, with all its incidents and appurtenances, annexes and connexes, for the said period of the said four years, with right of appeal in all matters to our Governor who is or shall be in the said Island of *Española*; and I direct all persons who shall go in the said ships, and each one of them, that as such our captains they shall obey you and allow and consent that you exercise the said office and jurisdiction.

* * * * *

Done at the city of Burgos, on the ninth of June, in the year fifteen hundred and eight.

I, THE KING.

And I, Lope Conchillos, Secretary of the Queen, Our Lady, have caused it to be written by command of the King, her Father.

Countersigned by the Bishop of Palencia.

LICENCIATUS XIMÉNEZ.

¹ Archives of Simancas. Navarrete—Collection of the Voyages and Discoveries the Spaniards made by Sea. Vol. III, Doc. No. XXVIII, p. 113.

Vasco Núñez de Balboa to the Catholic King.

SANTA MARIA DEL ANTIGUA, January 20, 1513.¹

Most Christian and Very Puissant Lord:

Some time ago I wrote to Your Royal Majesty, by a caravel which came to this town, informing Your Royal Majesty of the events that had happened in these parts; I wrote also by a brigantine which sailed from this town to the island of *Española* to make known to the Admiral² how we were in a very great need; and now God has sent to us two ships loaded with supplies with which we have been relieved and this has been the cause of the settlement of this land, because we were reduced to such extremity that if the relief had been delayed very much longer it would not have been necessary, as, on account of the famine, nothing would have been found to relieve, because here we are three hundred men who have been gathered together by me from those of *Urabá* attached to Alonso de Hojeda and those of *Veragua* attached to Diego de Nicuesa, and I have assembled them with great labor as Your Royal Majesty will see in another letter that I write to Your Royal Majesty, reporting the events that have happened here. * * *

They likewise pray Your Majesty to grant them license to bring Indians of the part of *Veragua*, from a gulf called *San Blas*, which lies at a distance of 50 leagues from this town down the coast. * * *

May our Lord prosper the life and Royal dominions of Your Majesty and increase them with many more kingdoms and lordships that may be discovered in these parts for Your holy service, and make them go into the hands of Your Majesty, as Your Majesty desires, because there are more riches here than in the whole world.

From the town of *Santa Maria del Antigua* of the province of *Darién* in the gulf of *Urabá*. Thursday, January 20th of the year 1513.

The creature and servant of Your Majesty who kisses His Royal hands and feet.

VASCO NÚÑEZ DE BALBOA.

¹ Navarrete, *Colección de los viajes*, etc., Vol. III, p. 358.² Don Diego Columbus.

Royal Cédula Appointing Pedrarias Dávila Governor and
 Captain-General of the Province of Castilla del Oro,
 Also Called Tierra Firme. Doc. 4

VALLADOLID, July 27, 1513.¹

DON FERNANDO, etc.

Whereas, it has pleased Our Lord that, by the order of the Most Serene Queen, my dear and well beloved daughter,² and by my own, some islands and lands until now unknown have been discovered, among others a vast territory thus far called *Tierra Firme*, which we now direct be named *Castilla del Oro*, wherein our people have established, on the Gulf of *Urabá* which is located in the Province of *Darién* (at present called the Province of *Andalucía la Nueva*—New Andalusia), a village named *Santa María del Antigua del Darién*; and in order that Our Lord may be served in the said lands, that his Holy Name may be known and that the inhabitants of that country may be converted to our Holy Catholic Faith, taught and instructed in its commandments and set in the way of salvation, in order that there may not be so great a loss of souls as have already perished, and to attain the end desired by us, We have sent a petition to our very Holy Father to send as prelates some ecclesiastics and learned members of Religious Orders, thus to afford a good example by instructing and preaching to them; and for the safety of these missionaries it has been necessary to send a certain number of people to settle upon the said lands, who, with the doctrines preached by the ecclesiastics and the assistance of the other Christians, will convert the inhabitants more quickly to our Holy Catholic Faith, and when converted they will observe this Holy Faith until they may be further instructed in the Christian doctrine than they appear to be at the present time.

To this end We now order that a powerful fleet be now prepared, provided with everything that is requisite, as has been requested by the friars who were sent to us by those whom

¹ Archives of the Indies at Seville. Narratives and descriptions. Bundle 11.

Navarrete—*Viages y descubrimientos de los Españoles* (Voyages and Discoveries of the Spaniards); vol. III, p. 345. Peralta—*Jur. Ter.*, p. 14.

² Doña Juana, Queen of Castile.

We have in that province; and not only to command the said fleet in the capacity of Captain General, but in order to have the government of the said territory and bring about the conversion of the Indians, in conjunction with the said ecclesiastics, and also in order that those who depart with the said fleet, as well as those who inhabit and reside or shall reside in the said territory, may be governed with entire justice, in peace and tranquility and wisely, and because We are now sending settlers, as will be declared further on, it is necessary to have a person so prudent, so conscientious and so faithful that in all things he may have the zeal, the diligence and the resources needful for the success of so holy a work, for the great service of Our Lord and the propagation of His Holy Faith;

And relying upon you, Pedrarias Dávila, as being the person suitable therefor, and that you will have always in view the service of God, Our Lord, and of Ourselves, the carrying out of our justice, the peace, tranquility and the good administration of the said territory, and that you will examine with the utmost fairness and conscience the means for its settlement, in that which touches and concerns us—

It is our good pleasure and our will, that you, the said Pedrarias Dávila, govern for us and in our name, and command, as Captain General, all the people and the ships which compose the said fleet, as well as those that are or shall be found in, or shall in the future repair to, the said territory of *Castilla del Oro*, so long as it does not include nor have embraced within it the Province of *Veraqua*, the administration of which belongs to the Admiral don Diego Columbus, because the Admiral, his father, discovered it in person, nor the territory that Vicente Yáñez Pinzón and Juan Díaz de Solís discovered, nor the Province of *Paria*, with the territory which We shall direct to be added thereto, because these are two different territories, and because by reason of the fact that too great a distance separates them from the place where you must reside, you will in no way be able to govern them advantageously to our service and to the good administration thereof; for this reason it will be necessary to appoint for these two territories other and different Governors;

And you shall be authorized to execute justice with civil and criminal jurisdiction, as well upon the sea as on land, with the

right to interpose appeals before the members of the Council of these Kingdoms of Castile in cases involving six hundred pesos and over;

And you, the said Pedrarias Dávila, shall be authorized to exercise and shall exercise the said functions of our Captain General and Governor, both upon sea and land, either in person or through the medium of your deputies, whom you shall be authorized to discharge or remove at such time and whenever you may see fit and may deem it to be desirable or beneficial for our service and for the execution of our justice, and for the peace and tranquility of the said fleet or of the territory;

And to this end and for the execution and accomplishment of all the foregoing, by this charter We give to you full power, and by it or by a copy certified by a notary, We direct all persons who may embark in the said ships of the fleet aforesaid, and each one of them, as well as those who are or shall be located in the said village of *Santa María del Antigua del Darién*, or in any others which may be founded in the future in the said territory above mentioned, to hold you, to receive you and to consider you as our Captain General and Governor of the whole thereof, and to allow you to freely exercise such functions, both upon the sea and upon the land, and to execute our justice in person or by the intervention of your deputies; and you shall be authorized to hear, adjudge and determine all the proceedings and causes, both civil and criminal, which shall have been begun or undertaken upon your arrival or which shall be begun thereafter, and this as well upon the sea, when you shall go to or land upon an island, as upon the said *Tierra Firme*;

And you and your deputies shall likewise be authorized to collect the imposts and other fees which belong and are attached to the said position of Governor and Captain General, in the form and manner in which they have been collected thus far by the Admiral Viceroy Captain General and Governor of the said Island of *Española*, and by the other captains that We have appointed up to the present time;

And as such Captain General and Governor you shall be authorized to determine in the said territory and settlement above mentioned the locations where villages ought to be established, as well as to give the urban lands to those who may go there to seek a

domicile, and to distribute the lands according to the quality of the persons who shall locate themselves there; and to the first colonists and explorers who went thither, in order to recompense them for the great labors, the dangers and the difficulties which they may have undergone, and also to those who shall have distinguished themselves by special services, you may give, besides the said distribution, such privileges as you may deem just, in accordance with the importance of their labors and the services which they may render in future;

And you shall be authorized to make general ordinances for the whole of your government, and special ordinances for each village (*pueblo*), which should be useful and beneficial to the inhabitants of the said territory and to each one of its villages in particular, in order that these may be governed by them everywhere that it may be necessary, to the end that they may dwell in peace like good Christians, tranquilly and in the best of order, refraining from the vices and bad habits that people have who have not the advantages of good government;

And you may fix such penalties as may appear to you necessary to establish, in order that these ordinances may be respected, and cause them to be executed in case of disobedience;

And you shall do likewise in regulating the manner of extracting the gold from the mines and gathering it from the rivers where it may be found; and you shall determine the number of people that each one may bring with him and what assistance should be afforded by the natives for the care of them, and also all the other things which may be needful, generally and particularly, for the administration, government and the common welfare;

And you and your deputies shall be authorized to make all the perquisitions allowed by law and to make use of all things relating to said office and which appertain thereto and which you and your deputies may deem useful to our service and our justice; and in the conduct and exercise of the said office of Captain-General and Governor, and to the end that our justice be obeyed and executed, upon the sea as well as the land, everyone must be subject to you, the said Pedrarias, as well as to your deputies; and they shall give to you and cause to be given to you all the favor and assistance which you may demand of them and of

which you have need, conformably with the instructions which may be given to you by our order, so that you may act in everything that has been stated;

And they must not oppose you in reference these presents, nor interpose any obstacle or delay whatever, nor permit you to be opposed, because We, as to that which touches and concerns us, hereby receive and hold you as having been received into the said office of our Captain General and Governor, both upon sea and land, and as having entered upon the conduct of the same, and We give to you the power and the authority to exercise it and to act therein personally, or through the agency of your deputies, both in the execution and accomplishment of our justice, upon the sea as well as upon the aforesaid *Tierra Firme*, with all its incidents and appurtenances;

And We order likewise, as to the fines for the benefit of our Chamber and Treasury, both those which may have been imposed in the said *Tierra Firme* before your arrival as well as those which you and your deputies may impose, that you are to cause them to be paid and forwarded at once to Alonso de la Puente, our Treasurer General of the said *Tierra Firme* or the one who shall be thereunto authorized in his stead.

And by this our charter We order all persons who may hold the insignia of our justice and those of the *alcaldía* (mayoralty) and of the *alguacilazgo* (shrievalty) of the said *Tierra Firme*, as soon as they may be so required by you, the said Pedrarias, to turn them over to you and no longer make use thereof without your authorization or special order, under the penalties which may be imposed upon private persons who undertake to exercise offices without having the right to do so and without being authorized thereunto; for We, by these presents, suspend them and hold them as suspended.

It is moreover our pleasure and our will, that if you, the said Pedrarias, deem it advantageous for our service and for the accomplishment of our justice, that any of the gentlemen whomsoever, or other persons among those who may be present or those who shall go to the said *Tierra Firme*, should depart therefrom, or not enter therein, or that they should come and present themselves before us, you may lay your commands upon them on our behalf and make them depart; and those who shall be thus di-

rected by you, We command by these presents that as to the order thus received by them, without further addressing themselves to us, nor consulting us, nor awaiting any other order from us, neither the second nor the third command, and without interposing any appeal or petition, they obey the disposition you may have made, under the penalties that you may impose upon them on our behalf, which We impose upon them by these presents, and We give to you power to cause them to be executed upon the persons of those who may be refractory;

And it is our pleasure and we order that you be allowed, by virtue of the said office of Captain General and Governor, the annual salary of 366,000 *maravedís*; and We order our said Treasurer General, the present one or the one who may be such in the future, to pay to you each year the said 366,000 *maravedís* out of any moneys or gold whatsoever which he may have in his control, and to take your receipt as well as a certified copy of this our charter, in virtue of which, and of your receipt, We order that he be given an acquittance therefor and that said 366,000 *maravedís* be passed annually in his accounts.

We further order that a note be made of this our charter in the *Casa de Contratación* of the Indies, which is located in the city of Seville.

And no one shall act in any manner whatsoever contrary to the provisions hereof under penalty of our displeasure and a fine of fifty thousand *maravedís*, for the benefit of our Chamber, for every one of those who shall thus act contrary thereto; and furthermore We order himsoever who may show to you this our charter to serve you.

Done in the city of Valladolid, on the twenty-seventh of July, in the year one thousand five hundred and thirteen.

I, THE KING.

Limits of the City of Panama (Castilla del Oro).

Doc. 5

ROYAL CÉDULA OF BURGOS, September 6, 1521.¹

DON CARLOS, by the Grace of God, etc.

To you, our Lieutenant-General and Governor of *Castilla del Oro*, to your lieutenants and the other justices and judges of all the cities, towns and places thereof, both those that now are and those that shall be hereafter, and to each one of you, health and greeting:

Know ye, that on behalf of the resident settlers of the new city of *Panama*, which is founded on the South Sea coast of the said *Castilla del Oro*, a report has been made to me that at the time they settled and located therein they prayed to you, our said Lieutenant General and Governor, that you would indicate and determine the limits that the said city should have; and that you in our name did indicate and determine them in the following manner:

That the limits of the said city shall be, commencing on the East—that is toward the rising sun—all the territory from the *Rio Grande*, which is called *Chepo*, as far as the said city of *Panama*, which river you did indicate and did make a landmark as a monument and terminal on that side, the said river with its banks on both sides being understood as included, so that there are comprised within the said limits on this eastern side the Provinces of *Chepaverá*, *Pacorá* and *Chepo*, as far as where the territory and limits of the said Province of *Chepo* are separated from *Tubaná*;² that the said limits of the said city run and extend thus far, and that on that side it shall be the terminal and landmark thereof, halfway along the road running from the province and the old residence of the said *Cacique* of *Tubanamá* and the province and old residence of the said *Cacique* of *Chepo*; that the said large river which is called *Chepo* shall be the landmark and

¹ Archives of the Indies of Seville. Audiencia of Panama. Register of Parties. Royal Orders directed to the authorities and private individuals of the District of the Audiencia (*Reales órdenes dirigidas á las autoridades y particulares del distrito de la Audiencia*). Years 1513 to 1528. Peralta—*Límites de Costa Rica y Colombia*, p. 14. Madrid, 1890.

² The original text says *Tubaná*, but it should be *Tubanamá*, as is found in other passages of this royal *cédula*, in which the name occurs. M. M. P.

end of the said limits of the said city on the said eastern side, from halfway along the road between the said two provinces of *Tubanamá* and *Chepo*, to where it enters the South Sea and no further nor beyond, including the said river with its banks, which shall be the limits of the said city; and on the North side, since the territory extends from the said Province of *Chepo*, all the territory and provinces that are in the water-shed of the said South Sea, as far as the Province of the Cacique who is called *Acarachirubí*; and because of the situation of *Nombre de Dios*, which is located on the north slope and is North-south from the said Province and city of *Panama*.

And because it is hoped that a town will be founded there, you have declared that all the territory which is between the one province and the other—territory comprising the Province of *Juanagá* and *Pequani-Chagre*³—should be divided into halves, so that the said city may have on that side for its limits and domains the half of said territory, and the town that shall be established at *Nombre de Dios* the other half, leaving to the said city the Province of *Chagre* which the Christians called the *Old Cacique*, so that all that part of the Province of *Juanagá*, and all the other territories and provinces that are in the said country, situated between this said province (*Chagre*), and that of *Nombre de Dios*, which may be comprised in the said half, shall belong to the said city (*Panama*), notwithstanding that all or a portion of them may be on the watershed of the North Sea; all of which includes the Province of *Careta*, as the Christians call the *Cacique de la Ropa*, and the Province of *Cotonangá*⁴ and the said Province of *Acharachirubí*, with all the territories and limits thereto appertaining; and on the West side, which is toward the setting sun, all the territory and limits and domains, rivers, pastures and shores that there are from the said city as far as the Province of *Chirú*, in which are included the provinces of *Perequete*, *Tabore* and *Chame*, for up to that point they speak the *Cueba* tongue; on the South side the Islands of *Taboga*, one of which is now called the Island of *Santo Tomé* and the others,

³ Don Juan Bautista Muñoz spells this name *Pequare* instead of *Pequani*. Colección Muñoz, vol. 76, folio 219. Mss. of the Spanish Royal Academy of History. M. M. P.

⁴ Muñoz spells the name *Totonage*. M. M. P.

smaller ones, the Islands of *Trinidad*, so that all that which is included, by sea as well as by land, within the said limits and provinces above mentioned, you have stated and designated in our name as districts and domains and pasturages of the said new city of *Panama*, and you have petitioned and prayed us to be pleased to confirm and approve the boundaries thus fixed, or to adjust them otherwise according to our pleasure.

And, for the said reasons, the matter having been considered in our Council of the Indies, it has been determined that We should command this our charter to be delivered for the said purpose, thereby We confirm and approve the assignment of boundaries to said city and residents which you, our said Lieutenant-General and Governor, in our name, declared and granted, and if it is necessary We made a new grant, favor and donation of the said limits as above mentioned to the said city for now and forever; but, whereas, if God be pleased, We intend to direct that there be settled, midway along the road from the said city to the city of *Darién* and the towns of *Acra*⁵ and *Nombre de Dios*, a village for the security of said road and for the traffic which it is expected there will be, and because such a settlement will become very useful, there must be left midway thereof a circular space of three leagues in diameter, so that such village may be established therein or any other disposition made that We may order; the half of these three leagues shall be restored to the demarcation leagues as above declared for the said city, and the other half to that which is contiguous thereto, and this at such locality or place as may seem best to you, our said Lieutenant General and Governor. These three leagues shall not be included nor the districts of the said cities nor towns, but shall belong to the village that We shall command to be settled, notwithstanding that they are within the boundaries and limits which, as stated, are or shall be fixed; and this grant and confirmation should not extend nor does it extend to the three leagues of circular space.

Finally, We command you, and each one of you, that you keep and execute in all its terms this our *provisión*, grant and confirmation in the manner and form therein indicated, and contrary to the tenor thereof you shall not go nor act, nor consent to go or act

⁵ *Acra* for *Acla*.

at any time, nor in any manner, under penalty of our disfavor and of one hundred thousand *maravedis*⁶ for our Chamber, and We order that cognizance thereof be taken, etc.

Done in Burgos, the sixth day of the month of September, the year of our Lord one thousand five hundred and twenty-one. years.

Signed and countersigned by the subscribers.⁷

Doc. 6

Royal Cédula Saving the Rights of the Admiral D. Luis Columbus, in the Province of Veragua.

MADRID, December 24, 1534.¹

THE KING.

Whereas We have directed a certain agreement and *capitulación* to be made with Felipe Gutiérrez concerning the settlement and conquest of the Province of *Veragua*, which is on the coast of *Tierra Firme*, and of which We have appointed him as our Governor;—therefore, by these presents We declare that the said *capitulación* and everything therein contained must be, and is, understood as being without prejudice to any right that the said Admiral D. Luis Columbus may claim to the said government by virtue of his privileges;—wherefore We command these presents to be signed with our name and countersigned by the undersigned Secretary.

Dated at Madrid, the twenty-fourth day of the month of December, one thousand five hundred and thirty-four.

I, THE KING.

Countersigned and signed by the *Comendador mayor*² Francisco de los Cobos, Dr. Beltrán, Xuárez and Mercado.

⁶ Ancient Spanish coin of the value of the thirteenth part of a *real de vellón*.

⁷ The subscribers are those who signed the other *cédulas* of this same date, addressed to Pedrarias Dávila, to wit: The Cardinal, Doctor Sosa, the Lord High Constable, the Admiral,—noted by the Bishop of Burgos and Licentiate Capata. Countersigned by Pedro de los Cobos.

¹ General archives of the Indies. Audiencia of Panama. Register of Parties. Royal orders to authorities and private individuals of its District (*Reales órdenes á las autoridades y particulares de su distrito*), 1535. Vol. V, fol. 187. Patronato. Papers of D. Luis Columbus. Peralta—*Costa Rica, Nicaragua y Panamá en el Siglo XVI*, p. 725. Madrid, 1883.

² Knight Commander of a military order.

Royal Provisión Declaring to What Government the
Town of Bruselas Belongs. Doc. 7

TOLEDO, April 21, 1529¹

DON CARLOS, etc.

Whereas, We are informed that between Pedro de los Ríos, our Governor of *Tierra Firme* (called *Castilla del Oro*) and Pedro Arias de Ávila, our Governor of the Province of *Nicaragua*, there is a dispute and question as to which of the said governments the town of *Bruselas* belongs and ought to be in, for each one of the said Governors says that it enters into and is within his (jurisdiction); and whereas, We are petitioned and asked as a favor in regard thereto to issue an order according to our pleasure therein, declaring to which of the said governments the said town shall belong, and to do what seems to us best;

And this petition having been considered by our Council of the Indies, together with certain information which We commanded to be furnished on the subject, it was resolved that We ought to issue this our decree in the said matter, and this We are willing to do;—wherefore, by this our decree, We declare and command that the said town of *Bruselas* and its districts and jurisdiction shall enter into and be within the said government of *Nicaragua*;

And We command the Council, justices, aldermen, knights, esquires, officials and the good men of the said town that they shall hold our Governor of the said Province of *Nicaragua* as their Governor and as such respect and obey him and no other person whatsoever;

And We command the said Pedro de los Ríos, and every other person whatsoever who may be Governor of the said *Castilla del Oro*, not to interfere in the administration of the said town of *Bruselas*, but to leave it to the said Governor of *Nicaragua*, for such is our will; and neither the one nor the other shall in any way act or do to the contrary, under penalty of our disfavor and

¹ General Archives of the Indies, Shelf 109, Compartment 1, Bundle 6. León Fernández—*Colección de Documentos para la Historia de Costa Rica*, vol. IV, p. 19. San José de Costa Rica, 1881, 1882 and 1883. Paris, 1886, and Barcelona, 1907.

ten thousand *maravedis* for our Chamber, for each one who shall commit such contrary act.

Given at Toledo, on the twenty-first day of the month of April, in the year of the birth of our Lord Jesus Christ, one thousand five hundred and twenty-nine.

I, THE QUEEN.

Countersigned by Sámano. Signed by the Count of Osorno and Doctor Beltrán.

Doc. 8 **Capitulación With Felipe Gutiérrez for the Conquest and Settlement of Veragua.**

MADRID, December 24, 1534. ¹

THE KING.

Whereas, you, Captain Felipe Gutiérrez, our servant, in order to serve us, offer, at your own cost and expense, without our being obligated at any time, either Ourselves or the sovereigns that may come after us, to pay you or to satisfy the expenses that may be caused thereby, further than are provided for in this *capitulación*, to conquer and settle the Province of *Veragua*, which is on the coast of *Tierra Firme* of our Indies of the Ocean Sea, and from whence terminate the boundaries of *Castilla del Oro*, called *Tierra Firme*, which boundaries were assigned to Pedrarias Dávila and to Pedro de los Ríos, who were Governors of the said province, under the *provisiones* that were given to them, as far as the Cape of *Gracias á Dios*, and to subject to our service and our Royal Crown the Indians thereof and instruct them in matters of our Holy Catholic Faith; and whereas you also offer to construct in that land one or two fortresses, which shall be suitable for the defense of the Spaniards that reside therein, in such places as may appear to you best and to take with you to the said land two hundred men with the ships and necessary supplies; and also to take with you for the Indians a priest and two persons of good life and example belonging to a religious order, to baptize, instruct and teach them in the matters relating to our Holy

¹ Archives of the Indies: Audiencia of Panama. *Registros de oficio y partes*,—Veragua;—Capitulations (contracts), Royal Orders, etc., concerning its discovery and settlement. Years 1534 to 1628. Fernández, *Col. of Doc.*, vol. IV, p. 35.

Catholic Faith; and if it be desirable that there should be more priests or persons from religious orders you say that you will provide them, and not having in that land the tithe from which to pay them, that you will keep them at your cost all the time that said tithe has not been paid, and that you will labor with gifts and good works to pacify and bring the said Indians to the knowledge of Christian doctrine and vassalage, and that once they come to receive it, you will build for them churches, according to the character of the land, where they may receive Christianity; wherefore, as to the said conquest and settlement that you wish to make, at your cost, as has been said, granting to you the favors and conceding to you and to your settlers the things that are declared by custom, and considering the long and good and loyal service you have rendered and which We expect that you will henceforth render, and your fidelity and zeal which moves you to serve us, We order to be made and We make with you, the said Captain Felipe Gutiérrez, concerning the foregoing, the agreement and *capitulación* following:—

(These paragraphs are omitted, being the same as in all other documents of this character.)

Done in the city of Madrid, on the fourth day of the month of December, 1534.

I, THE KING.

Countersigned by the *Comendador mayor*. Signed by Beltrán, Carvajal and Mercado.

Title of Governor of Veragua, Granted to Felipe Gutiérrez.

Doc. 9

MADRID, February 6, 1535.¹

DON CARLOS, etc.

Whereas, you Felipe Gutiérrez, our servant, in order to serve us, have offered and do offer at your own cost and expense, without obligation at any time to us, or to the Kings who shall come after us, to pay or give you satisfaction for the expenses which you shall incur therein, beyond what was allowed to you in the *capitulación* and agreement which We directed to be made with you, to conquer and settle the Province of *Veragua*, which is on the coast

¹General Archives of the Indies, Shelf 109, Compartment 1, Bundle 17. Fernández, *Col. de Doc.*, vol. IV, p. 41.

of *Tierra Firme* of the main land of our Indies of the Ocean Sea, whence terminate the boundaries of the Government of *Castilla del Oro*, called *Tierra Firme*, which were designated to Pedrarias Dávila and Pedro de los Ríos, who were our Governors of the said provinces under the *provisiones* which were given to them, as far as the Cape of *Gracias á Dios*;—and to subject to our service and Royal Crown the Indians thereof and instruct them in the matters of our Holy Catholic Faith.

And whereas you have offered to construct in the said territory one or two forts, which shall be suitable for the protection of the Spaniards who may reside therein, at such place as shall appear to you best; and to take out to the said territory two hundred men, with the ships and supplies necessary; and whereas you are to have with the said Indians a priest and two friars of good conduct and example, who may baptize, instruct and teach them in the matters of our Holy Catholic Faith; and if it is desirable that there should be more priests or friars you are to provide them; and there not being tithes in the said territory which are to be paid, you are to keep them at your expense during the whole of the time that there are no such tenths.

And you are to labor with gifts and good works to pacify and attract the said Indians to the recognition and vassalage which they owe to us, and as they come to receive the Christian doctrine you are to provide their churches for them, according to the character of the territory, in which they may be received; accordingly as is more fully set forth in the *capitulación* and agreement which I directed to be made with you in regard to the foregoing and in which there is a clause of the following tenor:

(Here follows the part of the foregoing *capitulación* and agreement which directed the appointment of Governor of *Veragua*.)

Therefore, keeping and fulfilling the said *capitulación* and clause which is hereinabove incorporated, by these presents it is our will and pleasure that now and from henceforth, for the whole of your life, you are to be our Governor and *alguazil mayor*² of the said Province of *Veragua* and the territories and provinces above stated, and that you are to have and to discharge our civil and criminal justice in the cities, towns and places which

² Office in the municipal council of a city similar to that of High Sheriff.

are settled or shall be settled in the said territories, provinces and limits above mentioned, with the judicial offices that there shall be therein, provided that you are not to enter within the limits of the other provinces which are placed under the administration of other persons;

And by this our letter We command the councils, justices, aldermen, knights, esquires, officials and good men of all the cities, towns and places of the said territories and provinces which may now or shall hereafter be settled, and our officials and other persons who may dwell therein, and to each one of them, that, as soon as they shall be notified, without further time or delay, and without further direction from us or consultation with us and without awaiting our further letter or command, second or third notice, they shall take and receive from you, the said Felipe Gutiérrez, and from your deputies—whom in the said offices of Governor and *alguazil mayor* you are authorized to appoint and discharge and remove, each one as you shall desire and deem best—the oath and formalities as in such cases may be required and should be done; the which, being thus accomplished, they are to have and receive and hold you as our Governor and *alguazil mayor* and justice of the said territory and province for all the days of your life, as stated, and they are to allow and permit you to freely conduct and discharge the said offices and carry out and execute our justice therein by yourself and by your said deputies, and to hear and decide and determine all the suits and causes, both civil and criminal, that there may be or which may arise in the said territory and province, not only among the people who may have gone there to settle, but among the natives thereof; and you are authorized to collect, and you are to collect, you and your said *alcaldes* and deputies, the fees annexed and belonging to the said offices, and to make any examinations into cases of *derecho premisas* and everything relating to or concerning the same, and you and your deputies are to proceed as may be desirable for our service and the conduct of our justice and the settlement and administration of the said territory and province; and to the end that you may conduct and discharge the said offices and carry out and execute our justice, all are to submit to you with their own persons and their people, and give and cause to be given to you all the favor and help which shall be

asked of them, or of which you shall have need, and in everything to obey and respect you and fulfill your commands and those of your deputies; and neither in the same nor in any part thereof shall they place or allow to be placed any obstacle or hindrance whatsoever, since We by these presents receive you and hold you as received in the said offices and in the conduct and exercise thereof, and We give to you power and authority to conduct and exercise them, and to carry out and execute our justice in the said territory and province and in the cities, towns and localities thereof, and their districts, by yourself and by your deputies, as stated, in case that by them or by any of them you are not received therefor;

And by this our letter We command each one and all persons whomsoever who may hold or who may have held the scales of our justice in the said territory and province, that, as soon as they shall be called upon by you, the said Felipe Gutiérrez, they are to turn over and deliver them to you and shall not use them further without our license and special command, under the penalties which are imposed upon and are incurred by private individuals who exercise and act in public and Royal offices for which they have no power or authority, because We by these presents suspend them and hold them as suspended;

And furthermore, that the penalties belonging to our Chamber and treasury which shall be imposed by you and your deputies and *alcaldes* for our Chamber and treasury, you are to collect and cause to be collected and give and deliver the same to our treasurer of the said territory;

And furthermore, it is our pleasure that if you, the said Felipe Gutiérrez, deem it to be necessary for our service and the execution of our justice that any persons who are now or shall hereafter be in the said territory and province should leave and no longer remain therein or come into the same, or who should be brought before us, you are authorized to order them on our behalf and to compel them to depart out of the same, in accordance with the *premática* (decree) which treats concerning this matter, giving to the person whom you shall thus banish the reason why he is thus banished; and if you deem it is desirable that it should be secret, let the order be given to him closed and sealed sending us by another way a duplicate thereof in order that We may be

advised thereof; but you are notified that when you banish anyone it must not be without very grave cause;

For the foregoing purposes and to enable you to conduct and exercise the said offices of our Governor and *alguazil mayor* of the said territory and province, and to carry out and execute our justice therein, We give to you full power by this our letter with all its incidences and appurtenances, emergencies, annexes and connexes; and you are to have and collect as salary in each year, in the said office of our Governor and *alguazil mayor*, one thousand five hundred ducats; the five hundred allowance for expenses, counted from the day that you, the said Felipe Gutiérrez, shall set sail from the port of Sant Lúcar de Barrameda, and you are to proceed upon your voyage outward to the said province, during all of the time that you shall hold and discharge the said offices, which sums we command our officials of the said territory and province give and pay to you from the rents and income We shall have in said territory and province during the time that you shall hold the said government and office of *alguazil mayor*; but if you do not get them during that time, We shall not be under any obligation therefor; and they are to take your receipt, with which and with the transcript of this our *provisión*, signed by a public clerk, We direct that the accounts be received and passed, this our letter being registered by our officials who sit in the city of Seville in the office of the *Contratación de las Indias*; and neither you nor others shall do otherwise than as herein ordered under penalty of our disfavor and of ten thousand *maravedis* for our Chamber.

Given in the city of Madrid, on the sixth day of the month of February, 1835.

I, THE KING.

Countersigned by the *Comendador mayor* (chief knight commander), and signed by the Counts of Osorno and Beltrán and Xuárez and Mercado.

Doc. 10 Royal Cédula Declaring that the Province of Urracá Belongs to the Government of Veragua.

VALLADOLID, July 14, 1536.¹

THE QUEEN.

Our Governor of the Province of *Tierra Firme*, called *Castilla del Oro*, and our judge of *residencia* thereof:²

On the part of Felipe Gutiérrez, our Governor of the Province of *Veragua*, a statement has been made to me that, the Province of *Urracá* being, as it is said to be, within the limits of the said Province of *Veragua*, you, our said Governor, went or sent men to conquer and settle it, whereby he has been wronged and injured, and prays me to command that you shall not enter within the said Province of *Urracá*, nor traffic therein; or to act as my pleasure may be;

Therefore, I command you that, if the territory of the *Cacique* of *Urracá* belongs within the limits of the said Province of *Veragua* you are not to go nor send to conquer it, nor to settle nor traffic therein; and if you shall have entered or sent such men, you shall depart therefrom at once under the penalties that are incurred by persons who enter to conquer and traffic in a foreign government where they have no jurisdiction, also under penalty of ten thousand gold *castellanos* for our Chamber and treasury, but if the people you shall have taken or sent to make the said conquest or traffic in the said Province of *Urracá* shall desire to become citizens and to remain in it as settlers and conquerors and under the jurisdiction of our Governor of the said Province of *Veragua*, they may do so, in which case We charge said Governor and command that he shall hold them as commended to him and favor them, as opportunity may offer, as settlers of the said territory.

Dated in Valladolid, the fourteenth day of the month of July, one thousand five hundred and thirty-six.

I, THE QUEEN.

Countersigned by Samano. Signed by Doctor Beltrán, Bernal and Velázquez.

¹ Archives of the Indies, Shelf 109, Compartment 1, Bundle 17. Fernández—*Doc.*, vol. IV, p. 45.

² The judge entrusted to demand accounts of their management from those persons holding public positions.

Royal Cédula to the Governor of Nicaragua, Commanding
Him to Undertake the Discovery of the Desaguadero
(San Juan River). Doc. 11

VALLADOLID, September 9, 1536.¹

THE QUEEN.

My Present or future Governor of the Province of *Nicaragua*:

I am informed that adjoining the city of *Granada*, which is in that country, there is a lagoon of fresh water the circumference of which is a hundred and thirty leagues and that the waters flow out of it through a *Desaguadero* (outlet) that discharges into the North Sea; that this is a very large river, like that of the Guadalquiver which flows by Seville, and that from the said Desaguadero to the North Sea it is reported there are many people, that it is very rich in gold, and that from thence was carried to *Yucatán* the gold possessed by Montezuma; and because it is desirable for our service to know the secret of said river, I command you that there shall be at once fitted out such brigantines as you may deem suitable, with men and supplies, and other necessary things, and that there be sent with them a person of responsibility and confidence who will explore the said country and learn the secrets thereof, and to him you shall give such instructions as you may deem proper; and you shall send to our Council a transcript of the report that he may bring from that country, signed with your name and with his, in order that I may command it to be examined and such provision therefor made as shall be most suitable for our Royal service; and you shall not do otherwise.

Done in the city of Valladolid, the 9th day of the month of September, 1536.

I, THE QUEEN.

By command of Her Majesty:

JUAN DE SÁMANO.

¹ Archives of the Indies. Audiencia of Guatemala. *Registros de Nicaragua*. Royal orders to officials, etc. Book III, Folio 76. Peralta—*Jur. Territ.*, p. 30.

Doc. 12 Royal Provisión Concerning the Rights of the Admiral,
Don Luis Columbus, and His Heirs.

VALLADOLID, January 19, 1537.¹

DON CARLOS, etc.

Whereas, before some of our Royal Council and of our Royal Council of the Indies and of the Council of the Holy Inquisition, as judges commissioned by us, there has been considered a certain suit between private parties—on one side the Admiral Don Diego Columbus, deceased, in his lifetime, and afterwards Doña María de Toledo, Vicereine of the Indies, his wife, for herself and as tutor and guardian of the Admiral Don Luis Columbus, her son, and of her other sons and daughters and of the said Admiral Don Diego Columbus, her husband, and on the other side our Attorney General—concerning the declaration of the *captiunciones* and privileges, which the Catholic Sovereigns, Don Fernando and Doña Isabela of illustrious memory (our ancestors; may they glory in Heaven) conceded to the Admiral Don Christopher Columbus, deceased, father of the said Admiral Don Diego Columbus, and concerning the causes and matters in the proceeding of the said suit contained;

And We, considering the notable service that our Royal Crown received from the said Admiral Christopher Columbus, and also the fact that the result of the suit is doubtful, and to end legal proceedings, I have deemed and thought it was and will be and is more advantageous and convenient for our service and the common welfare of our Royal Crown, and above all very well advised and agreed among persons of wisdom, of letters and of conscience and zealous for our service and the welfare of these our Kingdoms, and by consent of parties, to commit the case into the hands of the Very Reverend in Christ, Father Don Fray García de Loaysa, Cardinal of Santa Susana and Bishop of Sigüenza, the Confessor of Me, the King, President of Our Royal Council of the Indies and Commissary General of the Holy Crusade, in order that he may review the said suit and all the articles

¹ General Archives of the Indies. Simancas. Papers relating to the Admiral of the Indies, Don Luis Columbus (*Papeles pertenecientes al Almirante de las Indias, D. Luis Colón.*) Years 1528 to 1597. Fernández—*Doc.*, vol. IV, p. 46.

thereof, and determine and arbitrate therein as he shall deem best, taking from one party and giving to the other, according as it may appear to him proper; and to this end the Doctor Gaspar de Montoya, of our Council, in our name and for our Chamber and Treasury and Royal Patrimony, by virtue of the authority that We have given and do give to him therefor, and the said Doña Mariá de Toledo, for herself, and in the name of the said Admiral Don Luis Columbus, her son, and of the other sons and daughters of herself and of the said Admiral Don Diego Columbus, her husband, and as their tutor and guardian, shall enter into a binding obligation;

And the said Cardinal having accepted, he gave in the said cause a definitive sentence, in which there are two Articles of the tenor following:

"Item: That, besides the said Island of *Santiago*, called *Jamayca*, His Majesty concedes to the said Admiral Don Luys Columbus, and to his said successors in his said house and estate, twenty-five leagues of territory in a square in this Province of *Veragua*, which is in *Tierra Firme*, with its civil and criminal jurisdiction, high and low, simple, and mixed imperial, leaving the supreme sovereignty thereof to His Majesty and to his successors, in order that it may be his own, for his said house and estate, by oath of inheritance, now and forever; and the said Don Luys Columbus may settle it and have therein all the rights and benefits that His Majesty might or could have; provided, however, that he cannot build any fort therein without license from His Majesty and his successors; and if he desires further the title of Duke or Marquis, His Majesty commands it to be given to him; and We reserve to ourselves the power to resolve any doubt whatever that there may be in any article of those above contained, within ten days after the delivery of this our sentence, if there is need therefor;"

And because, as to the declaration of that part of the said Article which refers to the said territory of *Veragua*, there is some doubt, the said Cardinal, in accordance with the power that he thus received and in order to resolve the doubts which appear in the said arbitral sentence, and within the period stated therein, made a declaration of the said sentence; and among the other Articles in the said declaration contained there are two made in this form:

"Whereas, as by the said sentence we declare that His Majesty concedes to the said Admiral, Don Luys Columbus, for himself and for his heirs and successors in his said house and estate, of the said Island of *Jamayca*, called *Santiago*, and twenty-five leagues of land in a square in the Province of *Veragua*, which is in *Tierra Firme*, with its civil and criminal jurisdiction, high and low, simple, and mixed imperial, in order that it may be his own and that of his said heirs and successors by oath of inheritance forever, and that he may have therein all the rights and benefits that His Majesty might or could have; and whereas, besides the aforesaid, in the grant that His Majesty makes to the said Don Luys Columbus and to his said heirs and successors in his said house and estate forever of the said Island of *Jamayca* and twenty-five leagues of land in a square in the Province of *Veragua*, it is declared and stated that he grants to him the said territory and island with all the benefits of mines and ores of gold and silver and lands and pastures and other things and benefits whatsoever that His Majesty may have and that may belong to him therein, leaving to His Majesty only the supreme jurisdiction and no other thing whatsoever;

"Item: We declare that the twenty-five leagues of land in a square that we have thus declared that His Majesty grants to the said Admiral Don Luys Columbus and to his said heirs, may be designated by two persons, one named by His Majesty and the other named by the said Admiral, who shall begin to measure from the part that they shall select and continue by the coast forward, measuring them by a straight line where they shall end and begin, in such manner that the said twenty-five leagues may be continuous; and in order that the said two persons shall not contrive together, the President and Judges of the Island of *Española* shall name a third;"

Which said sentence and declaration that was delivered by the said Cardinal was consented to by the said parties, and in the said obligation they were by us confirmed and approved;

And for more abundant and further security and assurance of all thereof, it having been considered in our Council of the Indies in consultation with me, whereby We are entirely assured that said obligation and arbitral sentence and declarations and consents were and are all of them useful and desirable for us

and for our successors in the Royal Crown of these our Kingdoms; therefore We have declared and pronounced it and We do declare and pronounce it; and because, in accordance with said sentence, the said Admiral Don Luys Columbus renounced in favor of ourselves and our successors to the Royal Crown of these our Kingdoms, as useful and beneficial for the public welfare thereof, whatever right by virtue of the said privileges and *capitulaciones* might or could belong to him, of our *proprio motu* and absolute Royal power, which in these regions We shall desire to use as Sovereigns and natural Lords, recognizing no temporal superior, and as it can and should afford better legal protection, praising and approving as We do praise and approve the said sentence and declaration of which mention is above made, and overlooking as We do overlook any defect that in it all may have occurred, either in fact or in law, by proceeding or formality, or in any other manner whatever and by reason of its having been or being, in relation to property or right of estate; therefore in compliance and execution of said sentence and declaration, by us and by our successors in these our Kingdoms, now and forever, and in the name of the Royal Crown thereof, We give, renounce, cede and transfer to you and unto you and for you the said Admiral, Don Luys Columbus, and for your children and descendants and successors, and for the other persons that your estate, according to its character, may require to hold and inherit successively the one after the other, now and forever after, the twenty-five leagues of land in a square, in the said Province of *Veragua*, which begin from the River *Belén*, inclusive, counting by a parallel as far as the western part of the Bay of *Cerevaró*; and all the leagues that may be lacking for the said twenty-five leagues, shall be counted forward from the said bay by the said parallel; and where these twenty-five leagues terminate, begin another twenty-five leagues by a North-South meridian; and as many others begin from the river *Belén* by the said meridian of the said river, North-South; and where these said twenty-five leagues shall end there shall begin another twenty-five leagues, which shall continue, counting by a parallel, until ending where the twenty-five leagues terminate that are counted proceeding forward from the Bay of *Cerevaró*; which territory We have commanded to be called the Bay of *Cerevaró*; and from it We

direct to be given to him the title of Duke, with the cities, towns and places thereof, and with all the vassals that are now in said territory or that there may be hereafter, with its civil and criminal justice and jurisdiction, high and low, simple, and mixed imperial thereof; with the judicial offices, those of *alguaziles* and clerkships, and whatever other offices there are or may be in said territory, and all the other things that to us as Sovereigns and Lords of said territory may belong and We have therein; with all the revenues, taxes, duties and services that may or can belong to us as Sovereigns and Lords of the said territory; with all the Royal duties whatsoever, personal or mixed, to us due and belonging in the said territory or which would become due and belonging, and which We could take, and which should become due and belonging to the Sovereigns our successors, at any time, or in any manner, or for any reason that may or can be, and by whatever name or condition or character or authority it may be, and even though they may be such and of such a character and kind that in this our letter it would require express and special mention to be made; and with all the mines and ores of gold and silver and whatever other lodes and metals and precious stones, and whatever other stones and pearls and salt, and any other things of whatever character they may be that there may or shall be and originate in said territory, of greater or less amount of value, or that may be like these in any manner, as if it were here expressed and declared;

Retaining, as We only do retain, for ourselves and for the Sovereigns who shall succeed us in these Kingdoms, the supreme jurisdiction and nothing else whatsoever, and We desire that if We or the Sovereigns our successors in these our Kingdoms, command to be levied in the Indies any revenues of the common character that are now collected in Castile, then neither We nor the said Sovereigns who may come in time, shall be able to collect nor shall they collect anything thereof in the said territory, provided that, as before stated, there is left for us therein only the supreme jurisdiction and no other benefit, nor revenue whatever, because We desire that everything may be, and it is understood to be, yours and for your heirs and successors, and you shall hold and enjoy, take and use it, without that We, or the Sovereigns who may come after us, place or be able to inter-

pose therein, or in any other matter, any impediment whatever, in fact or in law;

Provided, that neither you, the said Admiral Don Luys Columbus, nor your heirs and successors in the said estate, shall be able to build a fort in the said territory, nor in any part thereof, without our license, or that of the Sovereigns our successors;

And by this, our letter, or by its transcript signed by a public notary from this day forward and forever, We give you authority over the said twenty-five leagues of land in the said Province of *Veragua*, and as to the cities, towns and places, the jurisdiction, vassals and revenues thereof, and of all the other things, and each one of them, in this our letter contained, according and in the manner stated; and We desire and command that it be, and is understood that the useful and direct Lordship and proprietorship of the said territory, with all that has been stated, is transferred to you, the said Don Luys Columbus, for you and for your said heirs and successors in the said estate as your own; and so also We give you the possession, *vel casi*, of all of it and of the Lordship and property thereof; and We desire and command that the possession be and is understood to be transferred, *vel casi*, civil and natural, of all of it, without any other document of seisin, and as a royal and true delivery of possession; and We constitute you as the true master and possessor of all thereof, in order that you may hold and possess it, and that it may be yours as it is stated; and for greater assurance We constitute you, for yourselves, possessors in your own name of all the aforesaid and of each thing and part thereof;

And for your greater assurance and security, and as a sign of the most royal and true delivery, We command that you be given this our said original letter, by which, or by its said transcript, signed as aforesaid, We give and grant, free and fully, ample and sufficient power and authority, so that you, the said Admiral Don Luys Columbus, by yourself personally, or by whomsoever you may wish holding your authority thereunto, without other license or command by us, nor by any inferior judge, nor from any other person whatever, and without any penalty or objection, as you shall desire or deem it desirable, you shall be able to enter and to take the said territory, and all the things aforesaid, and each one of them, and to use and enjoy them and to continue the pos-

session, *vel casi*, of all the aforesaid; and you may take it and be seized of it anew, and exercise that said jurisdiction, civil and criminal, high and low, simple, and mixed imperial, by you, or by the persons who shall be appointed by you in order to exercise it in your name in the first instance;

And so likewise the sentences given by such *alcaldes*, judges or governors as you shall install to exercise the said civil and criminal jurisdiction in the first instance, may be appealed before you and before your *Alcalde mayor* or Governor or your deputy or before some other tribunal, provided the second appeal may go to our *Chancillería* which sits in the Island of *Española* or before our Royal Council of the Indies, as by us may be ordered;

Provided, that, as aforesaid, neither you, the said Admiral Don Luys Columbus, nor your said heirs and successors, in your said estate, shall be able to build or erect in the said territory, or in any part thereof, a fort, without our express license, or that of the Sovereigns our successors;

And by this, our said letter, and by its said transcript, signed as aforesaid, We command the Councils, *Alcaldes*, *Alguazils*, *Regidores*, Knights, Esquires, officials and good men of the cities, towns and places of the said territory that forthwith, having seen this our letter, or its signed transcript, as aforesaid, without further delay or procrastination, or excuse or postponement whatsoever, and without demanding nor expecting from us any other letter, second or third action, they shall have and receive and hold you as the master and possessor of the said territory, and of all the other things above declared and specified, and of each one of them, and you shall assume authority over everything thereof at your pleasure, and they shall give, yield and offer to you the obedience and reverence that is due to you as the Lord thereof and that they should give and offer to you; and thus doing they shall give and deliver to you the insignias of our civil and criminal justice of the said territory, and act with you and those who may have your authority in the said judicial offices and jurisdiction of the said territory; and that thence forward they shall not intermeddle to act in the matter of the said offices and jurisdiction, nor in any part thereof, without your license and express consent, under the penalties imposed on those who exercise offices for which they have no authority, or power, or any

jurisdiction; let them give and deliver to you the possession, *vel casi*, of all thereof and of all the aforesaid;

And this done, they shall defend and protect you therein and execute your letters and commands, and shall go at your call, and so as to all the persons who shall hold your authority, for the terms and under the penalties that you shall inflict or direct to be inflicted, which same We impose, and hold as imposed, upon them, and We give to you power to execute the same upon them and upon their property;

And let them support you and attend upon you with all the said revenues and other things above declared and specified, and with all the benefits and emoluments in this our letter contained, from the day that this our letter may be publicly proclaimed in any part of the said territory, hereafter in each year forever, and neither therein, nor in any matter or part thereof, shall they put any embargo nor impediment upon you whatsoever;

And We desire and command as to the said twenty-five leagues of territory of the said Province of *Veragua*, with all the aforesaid that We thus give to you by virtue of the said arbitral sentence and transaction, that they remain, and continue and be and are understood to be subrogated in the said estate from this day forward, perpetually and inviolably, with the said conditions;

And therefore that you may have, and the said successors in the said estate may have, the title of Duke of the said territory, and that you shall be able to enjoy it, with all and every of the liberties, prerogatives, exemptions and insignias which, according to the right and law of these Kingdoms, have been held by those persons possessed of the title of Duke, and which they enjoy and ought to enjoy;

And that all this may be as free an estate as if, at the beginning when those things were done and constituted by Don Christopher Columbus, our Admiral of the Indies, your grandfather, he had been put in possession by our license and special mandate; all of which We desire and command and it is our pleasure and will that it be so executed and kept by us and by our heirs and successors and by each of them;

And for greater assurance and perpetuity of the aforesaid, by the said our *proprio motu* and absolute royal power, which We thus desire and intend to exercise and do exercise, We discharge

and take away every fault or defect of obreption or subreption and absolve your said estate therefrom, under the conditions and substitutions, entails and continuities, stipulations and acquiescences that were placed therein and are therein contained, in order that, notwithstanding all thereof, and without having incurred any penalty for having contraved the said arrangement, or for having granted it or consented to said sentence, this said subrogation of the said territory of *Veragua* is validated and affirmed and with all the rest that is adjudicated by the said sentence in satisfaction and payment of all the other rights and actions, voice and equity, which belong or could belong to you and to your said heirs and successors in your said estate; which they shall keep and comply with as fully and as completely as though, concerning that which in this our letter is contained, sentence had been rendered after consideration and upon appeal by said commissioned judges before whom the said suit was pending and to whom our executory letter was given, because our will and pleasure and final intention is that everything in this letter contained be and shall be understood for the benefit of you, the said Admiral Don Luys Columbus, and of your said heirs and successors in the said estate; let no other understanding or declaration whatsoever be given thereto;

And We command our officials who reside in the city of Seville, in the *Casa de la Contratación* of the Indies, that they enter this said our letter in the books which they keep, and after the writing and delivering thereof, they shall hand this original to you, the said Admiral Don Luys Columbus, in order that what is therein contained may have effect;

And We charge the illustrious Prince, Don Felipe, our very dear and well beloved grandson and son, and We command the *Infantes*, our very dear and well beloved son and brothers, and the prelates, dukes, marquises, counts, noblemen, masters of orders, priors, commanders and sub-commanders, governors of the Castles and strong fortified houses, and those of our Royal Council of the Indies, Presidents and Auditors of our Audiencias, who reside and shall reside in the said Indies, Islands and main land of the Ocean Sea, and all the *Corregidores*, *Alcaldes*, *Alguaziles*, *Merinos* (royal judges of the sheepwalks), and all other judges and justices whatsoever, of all the cities, towns, places and

jurisdictions, and all other persons whatsoever to whom that which is contained in this letter relates and pertains, or may in any manner appertain, that they keep and fulfill, and cause to be kept and fulfilled, this our letter and all that is therein contained and each thing and part thereof, and that contrary to the tenor and form thereof they shall not go nor proceed, nor consent that any one go or proceed at any time or in any manner, notwithstanding the law of Valladolid, made by the King, Don Juan of glorious memory, our progenitor, in the year one thousand four hundred and forty-two, and the confirmations that by other laws and ordinances have been made, and the other laws by which it is provided that such documents cannot be made except in conjunction with the Cortes, the attorneys of our Kingdoms being called therefor and for certain causes and intervening therein the members of our Council or the greater part of them; and so also, notwithstanding any edicts, statutes and laws of Castile (*leyes de Partido*) and privileges given to our said Indies and the dwellers therein; all of which We now release from our personal concern, *proprio motu*, and absolute royal power which We usually exercise regarding or pertaining to such matters, leaving it in its full force and effect as to all other things;

And We desire and command, and it is our will and pleasure, that all that is in this letter contained be kept and fulfilled, without awaiting nor expecting in connection therewith any other letter or *cédula* of ours, nor patent, privilege nor confirmation by us, nor by the Sovereigns who may reign after us in these our Kingdoms; and if as to this our letter, you the said Admiral Don Luys Columbus, or your successors in the said estate, shall desire our letter of privilege and confirmation, We command our *Contadores* and Chief Clerks of our privileges and confirmations, and our *Mayordomo*, Chancellor and Chief Notaries and the other officials in the list of those who hold our seals, that they give and deliver and transfer and seal it in the most firm, strong and sufficient manner that may be requested of them and that may be necessary for you to have; and that if you, the said Admiral Don Luys Columbus, or your said successors, shall desire our said letter of privilege in duplicate or triplicate, on account of the danger there may be of losing it in crossing the sea, they shall give it to you on the sole authority of this our letter, without

asking or demanding any other fee or writing whatever, and they shall not charge or take from you any tithe nor chancellor's fee, or other money that may be due to us according to ordinance, since if any there be We hereby grant to you the recompense of what it may amount to;

And in no particular hereof shall you or they ever fail under penalty of our disfavor and of ten thousand *maravedis* for our Chamber, for each one who may act contrary thereto;

And further, We command the person to whom you shall show this letter as a summons to appear before us in our Court, wherever it may be, within fifteen days first following from the day you shall summon him, under the penalty aforesaid; as to which We command any public scrivener who may be called upon to certify to it with his signature, so that We may know how our command is fulfilled.

Given in Valladolid, on the nineteenth day of the month of January, one thousand five hundred and thirty-seven.

I, THE KING.

I, Francisco de los Covos, *Comendador mayor* of León, Secretary of their Imperial and Catholic Majesties, cause the foregoing to be written by their command.

Doc. 13 Royal Cédula, Conceding Twenty-five Leagues of Land in Veragua to the Heirs of the Admiral Don Christopher Columbus and Declaring that the Rest of the Territory Belongs to the Kingdom of Tierra Firme.

VALLADOLID, March 2, 1537.¹

THE KING, DON CARLOS, etc.

Whereas, the Empress and Queen,² Madame our very dear and beloved daughter and wife,³ ordered a certain agreement and *capitulación* to be made with Felipe Gutiérrez, our servant,

¹ Archives of the Indies, Shelf 109, Compartment 1, Bundle 6. Fernández—*Doc. IV*, p. 57.

² The Empress Doña Isabella was appointed Regent of Spain by Charles V when he went to Germany.

³ The Emperor Charles V commands here in his own name and that of Doña Juana his mother, Queen of Castile. For this reason he refers to the Empress Doña Isabella as "our daughter and wife."

concerning the conquest and settlement of the Province of *Veragua*, which is on the coast of the mainland of our Indies of the Ocean Sea, from the limits of the Government of *Castilla del Oro*, called *Tierra Firme*, which was assigned to Pedrarias Dávila and Pedro de los Ríos, who were Governors of the said Province, by the *provisiones* which were granted to them, as far as Cape *Gracias á Dios*; which said conquest and settlement he made the offer to carry out,—sailing from the Port of *San Lúcar de Barrameda* with the vessels and the people that he had to take for the said conquest,—within eight months from the date of said *capitulación*; and agreeing that within one year immediately thereafter, he should be obliged to complete and finish the said conquest;

And whereas We are now informed that the said Felipe Gutiérrez, immediately upon his arrival in the said province of *Veragua*, on account of not having the equipment necessary to make the said conquest and settlement—not only of people but supplies and other things—and for other reasons that moved him thereto, departed from the said province with the men that he had therein and went to the Province of *Peru*, and has not carried out the said agreement; wherefore, We are not obliged to keep or comply with it;

And it being desirable for our service to provide how the said province may be conquered and settled; and considering the suit which, before some of our Royal Council and of our Royal Council of the Indies and of the Council of the Holy Inquisition, all judges commissioned by us, was carried on between the parties—on the one side the Admiral Don Diego Columbus, deceased, in his lifetime, and afterwards by the Doña María de Toledo, Vicereine of the Indies, his wife, for herself and as tutor and guardian of the Admiral, Don Luis Columbus, her son, and of her other sons and daughters and of the said Admiral, Don Diego Columbus, her husband, and on the other side our Attorney General—concerning the performance of the *capitulación* and privileges with the Catholic Kings, Don Fernando and Doña Isabela, of illustrious memory, our Signors, forefathers and ancestors, who may be glorified in Heaven, conceded to the Admiral Don Christopher Columbus, deceased, father of the said Admiral Don Diego Columbus; and concerning the other things

and matters in the proceedings of the said suit contained; and considering that it has been discussed for a long time and that the issue of the suit is doubtful; and desiring to be relieved therefrom; and considering also the noble service that the said Admiral Don Christopher Columbus rendered to the Royal Crown of these our Kingdoms; and having learned and understood from wise persons of letters and conscience, that it was and is more useful and beneficial to our service and the welfare of our Royal Crown and of these our Kingdoms that the said suit should be settled; it was submitted, by consent of the parties, into the hands of the Very Reverend Father in Christ, Don Fray García de Loayza, Cardinal of Santa Susana, Bishop of Sigüenza, Confessor of me the King, President of our Council of the Indies and Commissary General of the Holy Crusade, in order that he might examine the said suit and decide and arbitrate therein as he should see fit, taking from one party and giving to the other, according as he should deem proper;

And to this end, Doctor Gaspar de Montoya, of our Council, in the name of our Chamber and Royal Treasury, by virtue of the power that We commanded to be given and We gave therefor,—and the said Doña María de Toledo, for herself and in the name of the said Admiral Don Luis Columbus, her son, and of the others of her sons and daughters and of the said Admiral Don Diego Columbus, her husband, and as their tutor and guardian, they entered into a certain engagement;

And to this end, Doctor Gaspar de Montoya, of our Council, in cause a certain sentence, whereby, among other things that he adjudged to the said Admiral, Don Luis Columbus, and to his successors in his house and estate, he declared that We should grant to the said Admiral Don Luis Columbus and to his said heirs and successors in his said house and estate, a square of land twenty-five leagues, in the said Province of *Veragua*, with its civil and criminal jurisdiction, high and low, simple and mixed imperial (power), leaving the supreme sovereignty to us and to our successors; so that the said territory may belong to him and to his said heirs and successors, to settle and to hold therein all the rights and benefits that We could have held; which lands We, by our letter, granted to him in conformity with the said sentence;

And they begin from the River *Belén*, inclusive, counting by a parallel as far as the western part of the Bay of *Çorobaró*; and all the leagues that may be lacking for the said twenty-five leagues, shall be counted forward from the said bay by the said parallel; and where these twenty-five leagues terminate, another twenty-five should begin by a North-South meridian, and also as many others from the said River *Belén* by the said meridian of the said river, North-South; and where these said twenty-five leagues shall end there shall begin another twenty-five leagues, which shall continue, counting by a parallel, until they end where the twenty-five leagues terminate that are counted proceeding forward from the Bay of *Çorobaró*; which territory We have commanded to be called the Bay of *Çorobaró* and with it We direct that there be given him the title of Duke, according to the said sentence and the certain declaration that the said Cardinal made therein, and in accordance with our said letter in which the said grant that We command to be given to the said Admiral is more fully contained;

And because it is our will that the lands that are left in the said Province of *Veragua*, after taking away the said square of twenty-five leagues which We thus granted to the said Admiral, may be conquered and settled and that there may be some one to govern them and administer justice therein and this having been considered and discussed in our Council of the Indies, in consultation with me, the King, it was agreed that We should command this our letter to be given for the said purpose; and We have approved the same; by which We declare and command that the said lands that thus remain in the said Province of *Veragua*, after taking out therefrom the said square of land of twenty-five leagues that We thus granted to the said Admiral, Don Luis Columbus, and to his said heirs, be and are understood to belong to the government of the said Province of *Tierra Firme*, called *Castilla del Oro*, during our will and pleasure; and that our Governor or our judge of *residencia*, who is or shall be of the said Province of *Tierra Firme*, and no other person whatsoever, can or may be our Governor of the said lands, accordingly as he is or may be of the said province;

And it is our pleasure that the residents of the said Province of *Tierra Firme* may traffic with the Indians of said lands and

trade with them as they can and do with those of the said Province of *Tierra Firme*;

And We forbid and command that neither the said Felipe (Gutiérrez) nor any other person whatsoever shall venture to enter into the said lands to traffic or trade with the Indians thereof, under the penalties that are inflicted upon, and are incurred by, those who enter and trade or traffic in foreign governments without holding our license therefor; the which We command to be observed and complied with in every and all regards as in this our letter contained and declared, notwithstanding any of our letters or provisions whatever that may be contrary thereto, which same in this regard We abrogate and invalidate, repeal and annul and hold as invalid and of no value or effect, leaving henceforth in force and vigor the remainder thereof;

And so that it may come to the notice of all and no one may pretend ignorance, We command that this our letter be publicly proclaimed in the squares and markets and other accustomed places of the City of *Panama* and of the other cities and towns of the said Province of *Tierra Firme*, and on the steps (*gradas*) of the City of Seville by public crier and before a public notary.

Done in the City of Valladolid, on the second day of the month of March, one thousand five hundred and thirty-seven.

I, THE KING.

Countersigned by Sámano and signed by the Cardinal and Beltrán and Bernal and Gutierre Valázquez.

Doc. 14

Establishment of the Audiencia of Panama.

VALLADOLID, February 26, 1538.¹

DON CARLOS AND DOÑA JUANA, etc.

To you, our Governors and all other justices and judges whatsoever of the Province of *Tierra Firme*, called *Castilla del Oro*, and Provinces of the *Rio de la Plata* and the *Strait of Magellan*, and *New Toledo* and *New Castile*, called *Peru*, and *River San Juan*, *Nicaragua* and *Cartagena* and Dukedom of *Çorobaró*, and whatever islands and provinces, both on the South Sea as well

¹ General Archives of the Indies, Shelf 109, Compartment 1, Bundle 7. Fernández—*Doc.*, IV, p. 61.

as on the North Sea; and to the Councils, justices, *Regidores*, Knights, esquires, officials and good men of all the cities, towns and places of the said provinces and lands above mentioned, and to each one of you to whom this our letter or its transcript signed by a public notary, may be shown, or of which you shall be cognizant in any manner—to all of you, health and greeting:

Know ye that, for the good government of these lands, and the administration of our justice therein, We have commanded to arrange for our Audiencia and Royal Chancellery to reside in the city of *Panama*, and We have commanded that our judges of the said Audiencia may go at once to reside, and they do reside therein, and use and exercise their said offices;

And in order that the matters pertaining to our service and administration of our justice and good government of these regions may be attended to as they ought and should be for the general welfare of the said territory, after consideration of our Council of the Indies and consultation with me, the King, it was agreed that We should command this our letter to be given you for the said purpose; and We approve of the same;

By which We command all and each one of you, in your said places and jurisdictions, as stated, that in everything that you may be commanded by our said Audiencia to do, you shall obey, respect, fulfill and execute, and cause its commands to be fulfilled and executed in every thing and by all persons, according and in the manner that you may be commanded thereunto; and that you give to it, and cause to be given to it all the favor and assistance that shall be required of you, and that it is necessary that it should have, without making any excuse or delay therein, or interposing any appeal, request or other hindrance whatsoever, under the penalties that may be imposed or directed to be imposed upon you, which We by these presents do impose and hold as imposed upon you, and We give to it power and authority to execute them upon those who are rebellious and disobedient, and upon their property;

And since We send our said judges together, and it might be that by the chances of the Sea, especially in so long a navigation, with its uncertainties and perils, or some hindrance or sickness or other things that might happen to them on the way, they might not be able to arrive all together in the said country; and that

those that should arrive before the others might be impeded in the conduct and exercise of their offices, saying that they could not conduct them unless all were together, whereby doubts and differences might arise in that country; therefore, by this present, We desire and command and We give license and authority to our said judges so that whichever one or more of them may arrive in the said territory before the others, notwithstanding they do not all arrive together, those of them that shall arrive may be able to constitute and shall constitute the said Audiencia and hear and despatch and determine the causes, suits and affairs thereof, until the others arrive and all meet together, as if all were met and were sitting therein; for which, by this our letter, We give to them full power, with all its incidences and dependences, annexes and connexes;

And in no matter herein shall any of you fail at any time or in any manner, under penalty of our disfavor and of ten thousand *maravedis* for our Chamber for each one of you that shall act to the contrary.

Done in the city of Valladolid, on the twenty-sixth day of the month of February, one thousand five hundred and thirty-eight.

I, THE QUEEN.

Countersigned and signed by the same counsellors.

Doc. 15 Dr. Robles, Judge of the Audiencia of Panama, to Cardinal de Sigüenza and to the Señores of the Council of the Indies, Concerning the Conquest of Veragua.

PANAMA, July 19, 1539.¹

I have already written to your illustrious and gracious Worship and to your Honors, of the marriage of my daughter with one of the gentlemen *conquistadores* of these regions, who came from Peru, and who is named Hernan Sánchez de Badajoz, of very good qualities, since he is well born in all respects and of good reputation, and besides possessing many other good qualities he comes well provided. He was one of the first who, after Colum-

¹ Archives of the Indies. Patronato. Simancas. Letters concerning the good government of Tierra Firme (*Cartas sobre el buen gobierno de Tierra Firme*). Bundle of the years 1530 to 1549. Peralta—C. R., Nic. y Pan., p. 741.

bus, discovered the rich mines of *Veragua*, and he is well informed as to that territory and as to how the Bishop of this city (Fray Tomás de Berlanga), on the part of the Vicereine, made an arrangement with him and they gave to him the government of the *Dukedom of Veragua*, with many benefits, as your illustrious and gracious Worships will see by the *capitulación* certified by a notary which goes herewith;

And I, not desiring that he should leave the service of His Majesty, and seeing that the one did not go without the other, I agreed in the name of His Majesty to give to him the conquest and settlement of the remainder left of the *Dukedom of Veragua*, toward the West, as far as the border with Honduras and Guaymura; and I contracted with him in the name of His Majesty to give him the government of that which he might settle, also the office of *Alguazil Mayor* and tenancy of the forts that he might have, with all the other articles and agreement made with Felipe Gutiérrez, together with title of *Adelantado* and Marshal of the said province, as your illustrious and gracious Worship will see by that *capitulación*, which goes herewith.

To Your Worship and Honors I beg that His Majesty may confirm this *capitulación*, in that for which, by lack of experience, I may have failed, in favor of Hernan Sánchez de Badajoz, my son-in-law, in order that it may be provided and His Majesty may make to him the other grants that he has asked.

**Royal Provisión to Rodrigo de Contreras, Governor of
Nicaragua, Concerning the Conquest of Costa Rica,
Confided to Hernán Sánchez de Badajoz.** Doc. 16

PANAMA, December 17, 1539.¹

DON CARLOS, by divine mercy Emperor *semper augusto*, King of Germany; Doña Juana, his mother, and the same Don Carlos, by the same favor, Sovereigns of Castile, León, etc.

To you, Rodrigo de Contreras, our Governor of the Province of *Nicaragua*, and to the persons to whom this our letter or its transcript signed by a public notary may be presented—health and greeting:

¹ Archives of the Indies, Shelf 62, Compartment 1, Bundle 3/25. Fernández, IV, p. 70.

Know ye, that in our Court and Royal Chancellery which sits in the City of *Panama*, before our judges thereof, appeared Hernán Sánchez de Badajoz, Captain General of the Province of *Costa Rica*, which extends from the borders of the Dukedom of *Veragua* and *Çarabaró* as far as *Guaymura* and *Honduras*—from sea to sea—and made a statement to us by his petition, saying that We know well that a long time before by our said Audiencia and Royal Chancellery he had been given the conquest, settlement and pacification of the said Province of *Costa Rica* and the Captaincy-General thereof, as appeared by the *Capitulación* and agreement which was made with him therefor and of which he makes presentation before us; and that he had sent to the Kingdoms of Spain and to many other places for a great quantity of munitions and supplies, men and material and equipment for war for the said conquest; and that in that territory two residents of the said Province of *Nicaragua*, who are called Diego Machuca and Alonso Calero, with certain men, had set forth from the said province, by the river known as the *Desaguadero*, from the lagoon near the city of *Granada* of the said Province, and had gone, some by land and others by the river, until they reached the North Sea, and entered upon his conquest and the Province of *Costa Rica* by the left bank of the *Desaguadero* river; going from the said Province of *Nicaragua* toward *Guaymura*; and that the result that they had attained was the death of fifty Christians, more or less, and of many Indians, both having died from hunger by reason of the bad arrangements and conduct of the said Machuca and Alonso Calero; and that they had stirred up and disturbed for him a great part of the Province of *Costa Rica* from the River *Desaguadero* towards *Guaymura*, wounding and killing Indians, at last escaping ruinously; by which he has been damaged, the said Indians of the said Province being stirred up and in revolt and under arms; and that which he could have easily conquered and settled, he will not now be able to accomplish without much cost and damage; and that this will be a great deal worse if it is permitted that the said persons and others shall enter and stir up the said Province; and he has begged and petitioned us, that neither you, nor any other person whatever, on his own account or for you, shall go to the said Province of *Costa Rica* with the design of conquering it, nor for any other purpose, under severe penal-

ties, since to him is entrusted the settlement of the said Province, and if any persons shall be in the said Province conquering it, or doing anything else, they shall leave it and depart therefrom at once; or as our pleasure shall be, and upon this he has prayed for justice;

This being considered by our said judges, it was by them agreed that We ought to command this our letter to issue to you, for the said purpose; and We have approved the same;

Therefore, We command you, the said Governor, and all other persons whatsoever, of whatever state or condition, that you shall not go, nor send, to the said Province of *Costa Rico*, bounded as aforesaid, any fighting men or any other manner of men, except the men of Hernán Sánchez de Badajoz, whom he shall gather in that province; and that if any of you be in the said province, you shall depart at once therefrom, under penalty to each of two thousand *pesos* for our Chamber and treasury, and you shall be proceeded against, as with all the rigor of the law as against persons who break the commands and provisions of their Sovereigns and natural Lords; and in neither one case nor the other shall you or they fail at any time in any way, under penalty of our disfavor and of the penalties before stated.

Done in the city of *Panama*, on the seventeenth day of the month of December, one thousand five hundred and thirty-nine.

ROBLES, *Doctor*.

And I, Sebastián Sánchez de Merlo, notary of their Majesties, have written it by their command with the accord of their judge.

And on the back of the said *Provisión* it was sealed with the Royal Seal, and the following was written: Registered, ANDRÉS DE AREYCA. *For the Chancellor: Arias de Azevedo.*

Doc. 17 Royal Cédula, Disapproving and Revoking the Provision of the Audiencia of Panama, Which Authorized Hernán Sánchez de Badajoz to Make the Conquest of Costa Rica.

MADRID, April 24, 1540.¹

DOCTOR FRANCISCO DE ROBLES, Judge of our Audiencia and Royal Chancellery of the Province of *Tierra Firme*, called *Castilla del Oro*:

I have seen your letters of the twentieth of September of the year last past of 1539, which you wrote to the members of our Council of the Indies, in which you gave an account of what you had done in that country subsequent to your arrival therein, and of the condition of affairs in that province, as well as the statements and despatches that came therewith; and herein I will direct response to be made to you regarding what is to be said concerning the same.

* * * * *

I note that you state that, as you have been informed, a certain contract and *capitulación* was made on behalf of the Vicerine of the Indies, in the name of the Admiral Don Luis Columbus, her son, with Hermán Sánchez de Badajoz, intermarried with your daughter, concerning the conquest and settlement of certain lands in the Province of *Veragua* which were commanded by us to be given to the said Admiral by the contract and agreement made with him as a result of the suit which he had pending against the *Fiscal*, in the name of our Chamber and exchequer, and I note also that you yourself made with him (Sánchez de Badajoz), in our name, and that of our Royal Crown, a certain agreement and *capitulación* concerning the lands which are left to us in the said Province of *Veragua*, in order that he might have the administration of those that he should settle, with the title of Adelantado or Marshal, and other offices and charges, and begged me that I should order the said capitulation to be confirmed.

In regard to the foregoing, I consider that you have done wrong in having intermeddled in such a matter, knowing that

¹ General Archives of the Indies, Shelf 109, Compartment 1, Bundle 7. Fernández, IV, p. 76.

you held no commission from us therefor; nor has there been or could there be in any of our other Audiencias and Royal Chancelleries of our Indies, which are older and in which there are Presidents and a number of Judges, a thing of this character, *because this is a matter that must be treated solely by our Royal Person and in our Council of the Indies*; and therefore I have commanded it to be revoked and a *provisión* to be issued so that the said Hernán Sánchez may not undertake the said conquest and discovery nor make use of the said *capitulación* which you made with him, as you will see by the *cédula* which goes herewith.

You will at once so notify him; and if he shall have departed for the said province, you shall with great diligence and at your own cost send some one to notify him; and in the first ship that shall leave for these kingdoms you shall send to our said Council the evidence of said notification and how it was done and carried out; and from this time forward when anything of this character shall come up you are notified not to intermeddle therein.

From Madrid, on the twenty-fourth day of the month of April, 1540.

FR. G. CARDINALIS HISPALENSIS.²

Countersigned by Sámano. Signed by Beltrán, Carvajal, Bernal and Gutierre Velázquez.

Capitulación With Diego Gutiérrez for the Conquest of the Province of Cartago. Doc. 18

MADRID, November 29, 1540.¹

THE KING.

Whereas, on your behalf, Diego Gutiérrez, it has been stated to us that, by reason of your great desire to serve us and for the

² Fr. G. *Cardinalis Hispalensis*, is the the signature of Fray García de Loayza, Cardinal Archbishop of Seville, former Bishop of Osma and Sigüenza, Confessor of the Emperor Charles V, and Governor and President of the Council of the Indies. Cardinal García de Loayza was appointed Regent for the government of the Indies by Emperor Charles V during the time he had to remain in Flanders on account of the rebellion of the city of Ghent (1540-1541).

¹ Archives of the Indies;—Audiencia of Panama. *Registros de oficio y partes*. Veragua. *Capitulaciones*, etc., 1534-1628. Fernández, IV, p. 90.

enlargement of our Royal Crown of Castile, you offer to go to conquer and settle the land that remains to us in the province of *Veragua*, and that you will also conquer the islands that there may be upon the shores of the said land, in the North Sea, which are not conquered, and take from these our Kingdoms at your cost and expense the ships and men, subsistence and other necessary things, without our being obliged at any time to pay or discharge the expenses that may be incurred therefor, beyond what you shall be allowed in this *capitulación*; and whereas you petition and beg me as a favor to grant you the privilege of the conquest of the said land and of the said islands that shall be found near its shores, wherefore, to make and to grant these favors, under the conditions for their use herein contained, I command that there be made with you the Contract and *Capitulación* following:

First. We give to you license and authority, in order that for us and in our name, and in that of the Royal Crown of Castile, you may conquer and settle the land that remains to us in the said Province of *Veragua*, from sea to sea, inclusive, which begins where the square of twenty-five leagues ends, of which square We have made a gift to the Admiral Don Luis Columbus, towards the West. The said twenty-five leagues begin at the *Belén* river, inclusive, counting by a parallel as far as the Western part of the Bay of *Çarabaró*,—and those that may be lacking for the said twenty-five leagues are to be counted beyond the said bay upon the said parallel, and where the twenty-five leagues end there shall begin another twenty-five leagues upon a North and South meridian; and as many others shall begin at the *Belén* river, upon the said North and South meridian, and where the said twenty-five leagues end there shall begin another twenty-five leagues, which are to be counted upon a parallel until finishing where the twenty-five leagues end that are counted beyond the Bay of *Çarabaró*; so that where the twenty-five leagues in a square shall end, measured in the manner stated, your conquest and settlement shall begin, and it shall end at the *Rio Grande* toward the westward of the other side of Cape *Camarón*, so that the bank of the said river, towards *Honduras*, remains under the government of the said province of *Honduras*; and so also if in the said river there shall be any islands whether or not inhabited

by the Indians, which may not have been conquered or settled by Spaniards, you may conquer them. The navigation and fisheries and other benefits of the said river shall be common, but you shall with all this not go nearer the lake of *Nicaragua* than fifteen leagues, inasmuch as these fifteen leagues with the said lake must remain and do remain under the government of *Nicaragua*; but the navigation and the fisheries in that part which shall remain to you in the said river, and the said fifteen leagues and lake that are left to *Nicaragua* shall be common. I also grant you license in order that you may be able to conquer and settle the islands that there may be in the part of the said land upon the North Sea, provided that you do not enter upon the limits or boundaries of the Province of *Nicaragua* or in those of other provinces which are confided to other Governors, or into any place which is settled or allotted by any other Governor whatsoever.

* * * * *

Item: We give license and power to you so as you may arm at your own expense in the South Sea the ships that you may deem proper and to go to discover in the said sea the lands and islands which might not be already discovered or entrusted for government to any other person whatsoever; and We promise that We shall give to you the government of what you may discover, in like manner and in the same form that We have granted to you, and do grant to you, the Government of CARTAGO.

* * * * *

We order these presents to be given, signed by the Very Reverend Cardinal of Seville, our Governor of the Indies, and countersigned by our undersigned Secretary.

Dated at the city of Madrid, November 29, 1540.

FRAY G. CARDINALIS HISPALENSIS.

By command of His Majesty; The Governor in his name,

PEDRO DE LOS COBOS.

Signed by Doctor Belarn, the Bishop of Lugo, Doctor Bernal, Licentiate Gutierre Velzquez.

Doc. 19 Royal Cédula, Appointing Diego Gutiérrez Governor of
Cartago.¹

MADRID, December 16, 1540.

DON CARLOS AND DONA JUAÑA, ETC.

Whereas, you Diego Gutiérrez, with the desire of serving us and the increasing our Royal Crown, have offered to go and conquer and settle the territory that remains to us in the Province of *Veragua*, from sea to sea, inclusive, and also the islands which there may be in the neighborhood of the said territory in the North Sea, concerning which We commanded that there be made with you a certain agreement and *capitulación*, in which there is a paragraph of the tenor following:

(Here follows the paragraph that refers to the appointment of Governor.)

Therefore, keeping and complying with the said *capitulación* and paragraph which is hereinbefore incorporated, by these presents it is our pleasure and will that now and henceforth and for all the days of your life you shall be our Governor and Captain General of the said territory and islands which you shall thus conquer and settle, and, after you, an heir of yourself whom you shall designate and appoint, being by us approved;

And you shall have and hold our jurisdiction, civil and criminal, in the cities and towns and places which in the said territory and islands are settled and shall be settled from now henceforth, and over the officers of justice that may be therein; and by this our letter We command the Councils, justices, *regidores*, knights, esquires, officers and good people of all the cities, towns and places which in the said territory and islands there may be and shall be settled, and our officials and other persons who shall reside therein, and each one of them, that as soon as they shall be required thereunto, without any further delay or hesitation whatever, without further application to us, or consulting, or awaiting or expecting from us any further letter or command, or the second or third Royal order, that they take and receive from you, the said Diego Gutiérrez, and, after you, from your

¹ *Ubi supra*. Fernández, IV, p. 97.

said heir—the latter being, as stated, approved by us—and from your deputies and his, whom you and he may and can appoint and remove and discharge whenever you shall desire and deem proper, the oath and the formalities which are required in such cases and which ought to be observed; and this being done they shall have and receive and hold you for all your said days, and after them for those of your said heir, as our Governor and justice of the said territory and islands, and allow and permit you freely to enjoy, conduct and exercise the said office of our Governor and justice and execute and discharge our justice therein by yourself and by your said deputies in the said offices and *algualcilazgo*, and other offices annexed and appertaining to the said Government, as our service and the execution of our justice may require;

And to place and subrogate others in your place, and to hear, deliberate upon and decide all the suits or causes, both civil and criminal, which there may be or shall arise in said territory and islands, not only between the people who shall go there to settle them but also between the natives thereof;

And you and they shall be able to take, and you shall take, you and your said deputy *alcaldes*, and your said heir after you and his deputies, the duties to said office annexed and appertaining; and to make any investigations that are permitted by law, and do all the other things which are annexed and relate to said office, and you and your *alcaldes* shall undertake to do whatever is desirable in our service and the execution of our justice and in the settlement and government of the said territory and islands; and in order to conduct and discharge the said office, and carry out and fulfill our justice, all shall submit to you and to your deputies and men, and give and cause to be given to you all the favor and assistance that you shall ask of them, or of which you shall have need; and in all things they shall respect and obey you and comply with your commands and those of your deputies, and neither in this nor in any part thereof shall they place, nor allow to be placed, any hindrance or impediment whatsoever, because We by these presents receive and hold you as installed in the said office and in the conduct and discharge thereof, and We give to you power and authority to conduct and discharge the same and to carry out and execute our justice in the said territories and

islands, by yourself and by your deputies, for all of your said days, as aforesaid, in case that by them or by any of them you should not be received therein;

And further, it is our pleasure, that if you the said Diego Gutiérrez shall deem it desirable for our service and the execution of our justice that any of the persons who are now or who shall hereafter be in the said territory or islands, shall depart therefrom and not return to or be any more therein, and that they shall come and present themselves before us, you are authorized to command it on our behalf and they shall depart in accordance with the *pragmatic* relating thereto; and the person who is thus banished by you shall be given the reason for such banishment; and if it shall appear to you desirable that it shall be secret you shall give it to him closed and under seal, and you on the other hand will send to us a duplicate of it so that We may be informed thereof; but you are notified that when you shall banish any one, it shall not be without a serious cause;

For which, as aforesaid, and to conduct and exercise our justice therein for all of your said days, We give to you full power by this our letter, with all its incidences and dependencies, its annexes and connexes;

And furthermore We command you that the penalties belonging to our Chamber and treasury which you and your deputies shall impose or which shall be imposed for our said Chamber and treasury, shall be levied and collected by inventory and before a public notary, and you shall take account of the reason therefor in order to act as you shall be commanded by us therein;

And you may have and shall receive in each year, as salary for the said offices: you and your said heir, as ordinary salary, one thousand five hundred ducats, and as an allowance for expenses five hundred ducats, or altogether two thousand ducats, which are equivalent to 750,000 *maravedís*, counted from the day that you shall set sail from the Port of Sant Lúcar de Barrameda in order to pursue your voyage, and thenceforward during all the time that you shall hold the said offices; which salary and allowance We order our officials of the said territory and islands to pay you from the rents and profits which We shall in any manner have during the time that you shall hold the said government; but, not having them, We shall not be under any obligation therefor; and

they shall take your receipt for payment, with which, and with the transcript of this our *Provisión*, signed by a Public Clerk, We command they be received and passed in account, the record of this our letter to be accepted by our officials who are located in the city of Seville;

And neither in the one case nor the other shall you fail nor shall they fail in any manner, under penalty of our disfavor and 50,000 *maravedis* for our Chamber, for each one who shall act contrarywise thereto.

Given in the city of Madrid, the 16th day of the month of December, 1540.

FR. G. CARDINALIS HISPALENSIS.

Countersigned by Pedro de los Covos. Signed by Doctor Beltrán, Bishop of Lugo, Berñal, and Velázquez.

Royal Cédula to All the Governors, Justices and Captains of the Indies, Islands and Mainland of the Ocean Sea, Commanding Them to Respect the Limits of the Government of Cartago. Doc. 20

TALAVERA, January 11, 1541.¹

THE KING.

To our Governors of the Provinces of *Nicaragua* and *Higueras* and Cape of *Honduras* and Province of *Peru* and any others whatsoever of our Governors, justices and captains of our Indies, islands and main-land of the Ocean Sea, and to each one of you to whom this our letter may be shown:

Know ye, that We commanded a contract and *capitulación* to be made with Diego Gutiérrez concerning the conquest and settlement of the Province of *Cartago*, in which there is a paragraph of the tenor following:

"*First*: We give to you license and authority in order that for us, and in our name, and in that of the Royal Crown of Castile, you may conquer and settle the land that remains to us in the said Province of *Veragua*, from Sea to Sea inclusive, which begins

¹ General Archives of the Indies, Shelf 109, Compartment 1, Bundle 17. Fernández, IV, p. 102.

where the square of twenty-five leagues ends, of which We have made a gift to the Admiral Don Luis Columbus, towards the West. The said twenty-five leagues began at the *Belén* river, inclusive, counting by a parallel as far as the western part of the Bay of *Çarabaró*, and those that may be lacking for the said twenty-five leagues are to be counted beyond the said bay upon the said parallel, and where the twenty-five leagues shall end there shall begin another twenty-five leagues upon a North and South meridian; and as many others shall begin at the *Belén* river, upon the said North and South meridian, and where the said twenty-five leagues shall end there shall begin another twenty-five leagues, which are to be counted upon a parallel until finishing where the twenty-five leagues end that are counted beyond the Bay of *Çarabaró*; so that where the twenty-five leagues in a square shall end, measured in the manner stated, your conquest and settlement shall begin, and end at the *Rio Grande*, toward the westward, on the other side of Cape *Camarón*, so that the bank of the said river, towards *Honduras*, remains under the government of the said Province of *Honduras*; and so also if there shall be in the said river any islands, whether or not inhabited by the Indians, which may not have been conquered or settled by the Spaniards, you may conquer them. The navigation and fisheries and other benefits of the said river shall be common, but you shall with all this not go nearer the lake of *Nicaragua* than fifteen leagues, inasmuch as these fifteen leagues with the said lake must remain and do remain under the government of *Nicaragua*; but the navigation and fisheries in that part which remains to you in the said river and the said fifteen leagues and lake that are left to *Nicaragua* shall be common. I also grant you license in order that you may be able to conquer and settle the islands that there may be in that part of the said land upon the North Sea, provided that you do not enter upon the limits or the confines of the Province of *Nicaragua*, or of the other provinces which are confided to other Governors, or any place which is settled or allotted by any other Governor whatsoever."

And now the said Diego Gutiérrez has made me a report that it has come to his notice that some of you, without our license, seek to enter within the limits of the government that We have by the said paragraph assigned, by which our service would be

injured; and he petitions us to command you not to intermeddle by entering within the limits of the said government, and if you should have entered to depart therefrom under grave penalties, or as shall be our pleasure.

And I have deemed it well, wherefore I command you, that you do not now, nor henceforth go or send any people to the said Province of *Cartago*, nor within the limits, islands or lands, which by the said paragraph hereinabove incorporated We have given the said Diego Gutiérrez permission to conquer and pacify, under the penalties imposed upon, and that are incurred by, persons who enter into regions where they have no jurisdiction, and, besides, under penalty of our disfavor and a fine of ten thousand *Castellanos* in gold for our Chamber and treasury, for each one that may do the contrary; and if you have gone or sent any one to the said province, as has been reported, you shall depart and they shall depart therefrom at once upon being required by my *cédula*; and you shall go and attend to your own governments and conquests, conformably with your capitulations, without exceeding them, under penalty of death and the loss of all your goods and being held as perfidious persons and traitors and infamous.

Done in the city of Talavera, on the eleventh day of the month of January, 1541.

FR. G. CARDINALIS HISPALENSIS.

Countersigned by Juan de Sámano and signed by Doctor Beltrán and Bishop of Lugo, Doctor Bernal and the Licentiate Gutierre Velázquez.

Doc. 21 Royal Cédula to the Governor of Cartago, Commanding
Him to Require Accounts and Payments of Duties
From Hernán Sánchez de Badajoz.

TALAVERA, January 11, 1541.¹

THE KING, To Diego Gutiérrez, our Governor of the Province of
Cartago:

We are informed that Hernán Sánchez de Badajoz, by virtue of a certain contract which Doctor Robles made with him, entered with men into that province of yours, without having any right, nor should he have done so, and it is said that he made one or more settlements therein and obtained a large quantity of gold and other things from the Indians thereof, and did not pay us the fifth which belongs to us, and committed other frauds against our treasury;

And it having been considered by our Royal Council of the Indies, being desirous of providing therefor, it was resolved that I should command this my *cédula* to be issued to you; and I approved thereof;

Therefore, I command you to note the foregoing, and that you inform yourself and ascertain whether out of the gold and other things obtained by the said Hernán Sánchez de Badajoz and those who were with him there was paid the fifth belonging to us; and if you shall find that it was not paid, you shall collect it and cause it to be collected from him or from the persons who were under obligation to pay it; and if you shall ascertain that the said Hernán Sánchez de Badajoz took no care that the said fifth should be paid, you shall collect it from him and from his property according to law, doing justice in this matter; and what you shall thus collect you shall deliver and shall cause to be delivered to our officials of the Province of *Tierra Firme*, so that our Treasurer may take charge thereof as in other matters of our treasury;

And you shall likewise inform yourself whether there has been any other fraud against our treasury, and you will in such mat-

¹ General Archives of the Indies, Shelf 109, Compartment 1, Bundle 17. Fernández, IV, p. 104.

ter do what shall appear to you as justice therein; and as to everything that you shall do and provide in all these matters, you shall advise us.

Dated in the city of Talavera, the eleventh day of the month of January, 1541.

FR. G. CARDINALIS HISPALENSIS.

Countersigned by Juan de Sámano. Signed by Doctor Beltrán and Bernal, Bishop of Lugo and Licentiate Gutierre Velázquez.

Royal Cédula to Hernán Sánchez de Badajoz, Directing Him to Depart From the Province of Cartago. Doc. 22

TALAVERA, January 11, 1541.¹

THE KING, To Hernán Sánchez de Badajoz:

Know ye, that We commanded a certain contract and *capitulación* to be made with Diego Gutiérrez regarding the conquest and settlement of the Province of *Cartago*, and that he has informed me that it has come to his notice that, by virtue of a certain agreement which you made with Doctor Robles, you have entered with men within the limits of said government and have located and made some settlements therein, and have obtained a large quantity of gold and other things from the Indians thereof; and that he (the said Diego Gutiérrez) has petitioned me that you should be commanded, under severe penalties, to depart at once out of his said government, and that you should render to him an account of everything that you may have obtained, and that you should return it and make restitution thereof, so that he may be able to give us an account and to advise us thereof, and that We should command the inhabitants of the settlements that you may have made in his said government that they should obey him as their Governor and comply with his commands, as they are under obligation to do, or as may be our pleasure;

¹ General Archives of the Indies, Shelf 109, Compartment 1, Bundle 17. Fernández, IV, p. 105.

All of which having been considered by the members of our Royal Council of the Indies, it was resolved that We should direct this our *cédula* to be issued for the said purpose, and I approved thereof; wherefore I command you that, immediately upon being required hereby, you depart from the said Province of *Cartago*, the government of which We have thus granted to the said Diego Gutiérrez, and you are not to undertake to act in anything entrusted to you by the said Doctor Robles in virtue of the *capitulación* or agreement which you made with him;

But if you should desire to remain as a resident, to live and settle in the said province, you may do so, obeying the said Diego Gutiérrez as our Governor of the said province;

This you will do and comply with, under penalty of our disfavor and the loss of all your property for our Chamber and exchequer; and We command the Councils, judges, *Regidores*, knights, esquires, officials and good men of each and every town that may have been settled or that shall be settled in the said Province of *Cartago*, and all the other persons, captains and people who may reside therein, that they shall hold and receive the said Diego Gutiérrez as our Governor of the said province, and that as such they shall obey and comply with his orders, delivering to him whatever emblems of authority they may have, and make no further use thereof without our permission and special mandate, under the penalties imposed upon, and that are incurred by, those who exercise official positions for which they have no power or authority.

Done in the city of Talavera, on the eleventh day of the month of January, 1541.

FR. G. CARDINALIS HISPALENSIS.

Countersigned by Juan de Sámano. Signed by the same.

Proceedings to be Taken Against Sánchez de Badajoz. Doc. 23

TALAVERA, January 11, 1541.¹

THE KING, To our Judges of our Audiencia and Royal Chancery of the Province of *Tierra Firme*, called *Castilla del Oro*:

We are informed that Hernán Sánchez de Badajoz, by virtue of a certain agreement which he entered into with Doctor Robles, made an entry with some men into the Province of *Veragua* and that he has obtained a large quantity of gold and other things from the Indians thereof, and it is said he has done some improper things contrary to the service of God, our Lord, and ourselves, to the prejudice of our subjects and the natives of the said province;

And it having been considered by the members of our Royal Council of the Indies, it was resolved that this letter ought to be issued to you, and I approved thereof. By this letter I command you that you take note of the aforesaid and inform and advise yourself if the said Hernán Sánchez de Badajoz has done any improper things in the said Province of *Veragua*; and finding him guilty of anything, the parties affected thereby being called and heard, you shall do and administer therein full and prompt justice; and you shall not do contrary thereto.

Done in the town of Talavera, on the eleventh day of the month of January, 1541.

FR. G. CARDINALIS HISPALENSIS.

Countersigned and signed by the same.

Royal Cédula to Hernán Sánchez de Badajoz to Leave the Government of Cartago. Doc. 24

TALAVERA, January 11, 1541.²

THE KING.

Hernán Sánchez de Badajoz;—Know ye that We have directed that a certain contract and *capitulación* be made with Diego Gutiérrez regarding the conquest and settlement of the Province

¹ General Archives of the Indies, Shelf 100, Compartment 1, Bundle 17. Fernández, IV, p. 101.

² *Ubi supra*. Veragua. Capitulations, Royal orders, etc., 1534-1628. Fernández, IV, p. 107.

of *Cartago*, who has informed me that it has come to his notice that, by virtue of a certain agreement made by you with Doctor Robles, you have entered with men within the limits of the said government, and have made and settled some towns, and have obtained a large amount of gold and other things from the Indians thereof. And he (Diego Gutiérrez) begs me to command you, under severe penalties, that you at once depart from the said government and to render to him an account of all that you have taken and to return it and to make restitution thereof, so that he may be able to give us an account and to advise us thereof; and that We shall command the inhabitants of the settlements that he may have made in the said government that they shall obey him as their Governor and comply with his commands, as they are obliged to do—or as may be our pleasure.

This having been considered by our Royal Council of the Indies, it has been agreed that We shall direct this our *cédula* to be issued for the said purpose, and I deeming it well, therefore command, that at once upon being required hereby, you depart from the said Province of *Cartago*, the government of which We have thus granted to the said Diego Gutiérrez, and not to undertake anything whatever which was committed to you by the said Doctor Robles by virtue of the *capitulación* and agreement which you made with him.

But if you should desire to remain as an inhabitant—to live and settle in the said province—you may do so, obeying, as our Governor of the said province, the said Diego Gutiérrez.

This you will do and comply with, under penalty of the withdrawal of our favor and the loss of all your property for our Chamber and Treasury. And We command the Councils, Courts, Aldermen, Knights, Esquires, officials and good men of each and every town that may have been settled or shall be settled in the said Province of *Cartago*, and all the other persons, Captains and people who may reside therein, that they shall have and receive as our Governor of the said Province the said Diego Gutiérrez, and that as such they shall obey and comply with his orders, delivering to him whatever emblems of authority they have and not using them further without our permission and special mandate, under the penalties imposed upon and that are incurred by

those who exercise official position for which they may have no power or authority.

Done in the city of Talavera, on the 11th day of the month of January, 1541.

FR. G. CARDINALIS HISPALENSIS.

Countersigned by Juan de Sámano. Signed by the aforesaid.

Royal Provisión of Their Majesties, the Emperor and the Queen Doña Juana, Concerning the Limits of the Government of Cartago, and in Particular Concerning Those of the Desaguadero, or San Juan River, of Nicaragua. Doc. 25

TALAVERA, May 6, 1541.¹

DON CARLOS AND DOÑA JUANA, etc.

Whereas, We commanded that there be made a certain agreement and *capitulación* with you, Diego Gutiérrez, concerning certain lands that are to be conquered and settled in the Province of *Veragua*, which We have commanded to be entitled and called the *Province of Cartago*, in which said *capitulación* there is an article of the tenor following:

First: I give to you license and authority in order that for us and in our name, and in that of the Royal Crown of Castile, you may conquer and settle the land that remains to us in the said province of *Veragua*, from sea to sea, inclusive, which begins where ends the square of twenty-five leagues towards the West, of which We have made a gift to the Admiral Don Luis Columbus. The said twenty-five leagues begin at the *Belén* river, inclusive, counting by a parallel as far as the western part of the Bay of *Çarobaró*,—and those that may be lacking for the said twenty-five leagues are to be counted beyond the said bay upon the said parallel, and where the twenty-five leagues shall end there shall begin another twenty-five leagues upon a North and South meridian; and as many others shall begin at the *River*

¹ *Archives of the Indies*. Audiencia of Guatemala. Registers of Nicaragua. Royal orders directed to the Authorities and Private Individuals of the Province. (*Reales órdenes dirigidas á las autoridades y particulares de aquella provincia.*) Years 1529 to 1564. Book III, from 1527 to 1561, folios 76 to 84. Peralta—C. R., *Nic. y Pan.*, p. 113.

Belén, upon the said North and South meridian, and where the said twenty-five leagues shall end there shall begin another twenty-five leagues, which are to be counted upon a parallel until finishing where the twenty-five leagues end that are counted beyond the Bay of *Çarobaró*; so that where the twenty-five leagues in a square shall end, measured in the manner stated, shall begin your conquest and settlement and end at the *Rio Grande* toward the westward of the other side of Cape *Camarón*, so that the bank of the said river, towards *Honduras* remains under the government of the said Province of *Honduras*; and also if there shall be in the said river any islands, whether or not inhabited by the Indians, which may not have been conquered or settled by the Spaniards, you may conquer them. The navigation and fisheries and other benefits of the said river shall be common, but you shall with all this not go nearer the lake of *Nicaragua* than fifteen leagues, inasmuch as these fifteen leagues with the said lake must remain and do remain under the Government of *Nicaragua*;—but the navigation and fisheries in that part which remain to you in the said river and the said fifteen leagues and lake that are left to *Nicaragua* shall be common. I also grant you license in order that you may be able to conquer and settle such islands as there may be in that part of the said country upon the North Sea, provided that you do not enter upon the limits or the confines of the other provinces which are confided to other Governors, or any place which is settled and allotted by any other Governor whatsoever.”

And on the part of Rodrigo de Contreras, our Governor of *Nicaragua*, report has been made to us that We well knew the long time he had spent in the said province serving us in the administration thereof, the land being very poor and yielding neither gold, silver, nor pearls, nor any other thing by which a profit might be obtained, for which cause he had maintained himself with his own funds, without having been benefited like other governors; that, being thus poor and his means exhausted, he had been commanded by us to explore the *Desaguadero* that flows from the lagoon of *Granada*, near the Province of *Nicaragua*; that the said *Desaguadero* is a large river that flows out of the said lagoon and goes to empty into the North Sea; that in compliance therewith he had fitted out certain brigantines and sent

men therewith to explore the said *Desaguadero*; that on account of having found difficulties in the navigation he sent a second time another fleet, and with Captain Diego Machuca de Çuaço, who said that he explored as far as the said North Sea, and that from there he had returned to the said Governor, Rodrigo de Contreras, to let him know how the said *Desaguadero* could be navigated and how they could go from the said Province of *Nicaragua* to *Nombre de Dios* by sea; that when this became known by the said Governor, he had again undertaken to fit out barks and canoes, and in person, with many men, he had been gone about a year in order to finish the exploration and to subdue and pacify, incurring therein great costs and expenses, besides his personal labors, on account of the great importance of this exploration to our service, because by going up the said river the way is opened to *Peru* and the *Especería*² and this route is much better and shorter than any other, for when ships have once reached the said lagoon of *Granada*, from the said lagoon to the South Sea, he says, there are no more than four leagues of land, over which a cart may go; that it is healthy and provided with supplies for fleets and men, because the said Province of *Nicaragua* adjoins the said *Desaguadero*, and it produces much maize and meat, fish and fruits, from which the navigators who may go by that route will receive great refreshment; that this could not be done if this were not all under one administration, because the said supplies are from the said Province of *Nicaragua*; that since it was commanded by our *cédulas* and *provisiones* that those who should discover lands in the Indies might have the administration of them, and that since the said Rodrigo de Contreras had discovered the said *Desaguadero* and the adjacent country and by our command and at his expense, and it was joined with the said Government of *Nicaragua*, We ought not to permit that there be disturbed anything that he had discovered, but rather that it is for the good of our service that he should complete his exploration and pacification; that he had learned that in the *capitulación* which We had commanded to be entered into with you, the said Diego Gutiérrez, there were articles which were prejudicial to him, which, if they were carried out would

² Molucca Islands, then called the Spice Islands.

take away from him a great part of that which he had discovered and cause him great wrong and damage, and our service would be injured by the many troubles and difficulties that would arise therefrom; wherefore he begged us to again look at the said *capitulación* and take therefrom that which might prejudice the said Rodrigo de Contreras and that which he has discovered and went to discover by virtue of the said our *cédula* given to him for that purpose; of which said *cédula*, and of our other *cédulas* that We command be issued in order that neither the said Rodrigo de Contreras nor his captains may be interfered with in the exploration of the said *Desaguadero*, presentation was and is made, and the tenor therefore is as follows: * * *

Done in Talavera, on the sixth of May, 1541.

FR. G. CARDINALIS HISPALENSIS.

Countersigned by Juan de Sámano. Signed by Doctor Beltrán, the Bishop of Lugo, Doctor Bernal and Gutierre Velázquez.

Doc. 26 New Laws and Ordinances for the Government of the Indies. Suppression of the Audiencia of Panama. Creation of the Audiencia of the Confines of Guatemala and Nicaragua and of the Adjacent Provinces.

BARCELONA, November 20, 1542.¹

DON CARLOS, by Divine Mercy Emperor, always august, King of Germany, Doña Juana his mother, and the same Don Carlos, by the same favor, Sovereign of Castile, etc.

To the very illustrious Prince, Don Philip, our very dear and well beloved grandson and son, and to the *Infantes*, our grandson and son, and to the President and members of our Council of the Indies, and to our Viceroy, Presidents and Judges of our Audiencias and Royal Chancelleries of the said our Indies, islands and main land of the Ocean Sea, etc., etc.

* * * * *

Item: We order and enjoin that in the provinces and Kingdoms of Peru shall reside a Viceroy and a Royal Audiencia,

¹García Ycazbalceta—Collection of Documents for the History of Mexico (*Colección de documentos para la Historia de México*), Vol. II, p. 204. Ant. de Herrera—*Decade* VI, book V, Chap. III; *Decade* VII, book VI, Chap. V and VI. Peralta—*C. R., Nic. y Pan.*, p. 130.

composed of four learned Judges, which shall be presided over by the said Viceroy and shall sit in the City of The Kings (Lima), which is the most suitable site, and thereafter there shall be no Audiencia in *Panama*.

Likewise: We order that there be established a Royal Audiencia within the *confines* (boundaries) of *Guatemala*, and *Nicaragua*, where there shall be four Judges, one of whom shall be President, as We shall have ordered; and We now order that the Licentiate Maldonado, Judge of the Audiencia of *Mexico*, shall preside, and that that Audiencia shall have under its charge the government of the said provinces and adjacent regions in which there are no governors, unless on our part We command otherwise. And so the said Audiencias and the one that sits in *Santo Domingo* shall observe the following rule:

(Here follow the ordinances concerning the administration of justice, the political government, the finances, etc. Certain of these Ordinances read as follows:)

And in order that our said Audiencias may have the proper authority, and that what they provide or command may be better executed and obeyed, We desire and enjoin that the letters, *provisiones* and other things which they shall issue shall be issued and delivered by our authority and bear our royal seal; all of which should be obeyed and executed as in the case of letters and *provisiones* signed with our royal name.

* * * * *

Because, as We have been informed, the manner of making explorations is one of the things that have caused the most trouble, and that hereafter might cause trouble, We order and enjoin that the following rule be observed therein: That the one who desires to explore any country whatever by sea ask permission from the Audiencia of his district and jurisdiction, and when this permission is obtained he may explore and traffic; provided that he does not take any Indians away from the Indies (islands) or main lands that he shall have explored, unless he says that they have been sold as slaves, and even if this be so, only three or four persons to act as interpreters, even if they desire to go of their own free will, and this under pain of death; and that he may not take nor acquire anything whatever against the will of

the Indians, unless it be by exchange and in the presence of the person designated by the Audiencia, and that he observe the order and instructions which the Audiencia shall have given him, under penalty of the loss of all his goods and incurring our displeasure; and such explorer shall have as his instruction that wherever that he shall go he shall take possession in our name.

* * * * *

Item: That when the said explorer returns he shall render an account to the Audiencia of what he has done and discovered, and the report he makes to the Audiencia shall be sent to our Council of the Indies, in order that it may provide what may be suitable for the service of God and ourselves; and to the said discoverer shall be confided the settlement of the country discovered, if he is capable thereof, or he shall be given such reward as it may please us to give him, according to his labor, his merit and his expenses. And the Audiencia should send with each explorer one or two approved members of a Religious Order; and if the said Religious desire to remain in the country that is discovered, they shall be allowed to do so.

* * * * *

Done in the city of Barcelona, the twentieth of November, in the one thousand five hundred and forty-second year of the Nativity of our Saviour Jesus Christ.

I, THE KING.

I, Joán de Sámano, Secretary of their Imperial and Catholic Majesties, have written it by their order.

FR. G. CARDINALIS HISPALENSIS.

Doctor Guevara. Doctor Figueroa. Registered: Ochoa de Luyando. For the Chancellor: Ochoa de Luyando.

Royal Cédula, Making Provision for the Government of the District of the Audiencia de los Confines (of Guatemala and Nicaragua). Doc. 27

VALLADOLID, September 13, 1543.¹

DON CARLOS AND DOÑA JUANA, etc.

To you, our Governors, and to all other justices and judges whatsoever of the Provinces of *Guatemala* and *Nicaragua*, *Chiapa*, *Yucatán* and *Cozumel* and *Higueras* and *Cape of Honduras*, and all other provinces and islands that there may be on the coast and in the region of the said provinces as far as the Province of *Tierra Firme*, called *Castilla del Oro*, inclusive, and to the Councils, Aldermen, Knights, Esquires, officials and good men of all the cities, towns and places of the said provinces and lands above mentioned, and to each one of you to whom this our letter shall come, or its transcript duly signed by a public notary, or of which you shall in any manner be advised,—health and greeting:

Know ye, that for the good government of the said lands and the administration of our justice therein, We have determined to institute our Audiencia and Royal Chancellery, which shall sit in the Province of *Honduras*, in the town of *Comayagua* which is in the said province and which We have directed to be called *New Valladolid*, for which We have appointed as our President thereof the Licentiate Maldonado, who is at present our Governor of the Province of *Guatemala*, and have commanded that the Audiencia judges whom we have appointed shall go at once to meet with our said President and to sit, and they shall sit, in said city, and exercise and discharge the duties of their offices; and in order that the matters relating to our service and the execution of our justice and the good government of these parts may be carried on as they ought to be for the general good of the said territory, after the subject had been considered by the members of our Council of the Indies, it was resolved that We should direct this our letter to be given to you for the said purpose, and We

¹ General Archives of the Indies, Shelf 100, Compartment 1, Bundle 17. This *cédula* is cited by Law VI, Title XV, Book II, of the *Recopilación de las leyes de los Reynos de las Indias* (Compilation of the Laws of the Kingdoms of the Indies). Peralta, *La Géographie historique et les Droits territoriaux de la République de Costa Rica*, p. 144.

agreed thereto; by this letter We command you all and each one of you in your several places and jurisdictions, as aforesaid, that in everything which you shall be commanded by our said Audien-
cia you shall obey, respect, comply with and execute the same, and cause its mandates to be fulfilled and executed in all things and by everybody, accordingly as, and in the manner that, you may be by it commanded; and you shall give and cause to be given to it all the power and assistance that it may ask of you and of which it has need, without making any excuse nor delay therein, nor interposing any appeal, petition or other impediment whatever, under the penalties that it may impose or direct to be imposed upon you, and which We by this present impose and hold as imposed upon you; and We give to it the power and authority to execute them upon those who shall be rebellious and disobedient and against their property;

And although We send our said judges together, yet it may be that owing to the perils and uncertainties of the sea, especially in so long a voyage, some impediment may arise, or illness or other things may happen on the way, whereby they cannot arrive together in the said territory, and that to those who shall arrive before the others some hindrance may be offered in the conduct and exercise of their offices, saying that they can not be carried on unless they are together, from which conditions questions and difficulties might arise in that territory; therefore, by these presents, it is our will, and We command that license and authority be given to the said our President and Judges in order that whichever one or more of them may arrive in said territory before the others, notwithstanding they do not all arrive together, those who thus arrive, pending their arrival and meeting, can jointly compose and shall compose the said Audencia, and hear and despatch and determine the cases, suits and matters therein, as if they were all met and sitting therein; and until our said judges arrive, We direct that the said Licentiate Maldonado shall alone compose the Audencia and have the same authority and power as if all were met together; and in default of the said Licentiate the judges who shall arrive, or any one of them, may have it; and for this, by this letter, We give full power, with all its incidences and dependencies, annexes and connexes, and no one shall do anything in any respect contrary hereto under pen-

alty of our disfavor and of ten thousand *maravedís* for our Chamber.

Done at the city of Valladolid, on the 13th day of the Month of September, 1543.

I, THE PRINCE.²

Countersigned by Sámano. Signed by the Bishop of Cuenca, Bernal, Licentiate Gutierre Velázquez, Licentiate Salmerón.

**Royal Cédula of the Prince Governor to Diego Gutiérrez, Doc. 28
Concerning Various Matters Relating to the Govern-
ment of Cartago.**

VALLADOLID, May 9, 1545.¹

THE PRINCE.

Diego Gutiérrez, Governor and Captain General of the Province of *Cartago*:

Having seen your letter of the 30th of November of the year 1543, which you wrote to my Lord, the Emperor King, and in which you gave a report of your arrival in that country and of the character and the good prospect there is that the natives may come to a knowledge of our Holy Catholic Faith, I am pleased at this and hold it as assured that since you are so zealous in the service of God, our Lord, that with all your strength you will secure the conversion of these peoples and take care of their good treatment and instruction;—and thus I charge and command you to do, because in no way can you render to His Majesty more agreeable service than in this; let me be advised of what may be necessary for this purpose and of that which should be provided for the good of that country and the natives thereof.

2. In regard to your petition asking to be granted the government of *Nicaragua*, because it is very needful that the country be settled and that you will serve it with the salary that you have:—as you will have known by the new laws and ordinances which His Majesty commanded to be made for the good government of those regions and the good treatment of the natives thereof, it is provided that there shall be a Royal Audiencia with-

² This is the signature of Prince Regent Don Philip.

¹ Archives of the Indies. Veragua. *Capitulaciones*, Royal orders, etc., 1534-1628.

in the boundaries (*confines*) of the Provinces of *Nicaragua* and *Guatemala*; this has been arranged, and since the said province must be subject to the said Audiencia and can not have a Governor in it, there is no opportunity to do that for which you pray.

3. You state that you were commanded by His Majesty not to go within fifteen leagues of the lake of *Nicaragua*, and that the *Desaguadero* (outlet) that flows from it is in the midst of the coast of that Government, and that going up the river of the *Desaguadero* there will be twenty-two or twenty-three leagues up to the opening which the inhabitants of *Nicaragua* call a lagoon, and that if you cannot reach that place within fifteen leagues, the grant made to you by His Majesty will amount to nothing and you will have wasted your moneys, and you pray for a declaration on this subject. I will command that it shall be examined and I will provide therein what shall be suitable and just;—in the meantime you will keep that which is covered by your instructions and *provisiones*.

4. I have observed what you state, that of the officials which His Majesty commanded to be provided for the government, there was and is therein only the *Contador*, because the *Factor* went to *Peru* and the Treasurer and Inspector remained in these Kingdoms, and that it being advantageous for the service of His Majesty, you appointed officials to have charge of the finances of His Majesty, and that you appointed, as Treasurer, Francisco Calado, and as Inspector, Juan Pacheco, and as Factor, Alonso de Baena, a citizen of Madrid, I have deemed it well that the said Francisco Calado may be Treasurer of that government and the said Juan Pacheco the Factor, because it is my pleasure that the Factor serve in the office of Inspector, and have therefore thus commanded the *provisiones* therefor, giving and providing to them that they perform their duties in conformity therewith.

5. You state that, by virtue of a *cédula* which His Majesty commanded to be given to you whereby you might appoint three *Regidores* in each town that you might settle, you have appointed as *Regidores* of that town that you have settled, the following: Captain Pero Ruiz, Joán García Pacheco, García Osorio, Francisco Calado and Luis Carrillo de Figueroa;—and you pray that they be given directions for their said offices, because they are honorable persons and suitable for the positions; and since they

have the qualities which you state, I have commanded to dispatch the directions for the said offices to them, and they are sent herewith;

6. As to your statement that you carried to that government of *Nicaragua* a Priest called Francisco Baxo, because there was no other who dared go, and that he did not wish to go unless he was given a salary of one hundred thousand *maravedis*, but that, being a good person, you provided that salary for him, which is the salary that should be paid to two Priests, conformably to the commands of His Majesty, and you pray that because the said Francisco Baxo is alone and works hard that We may favor him, since as you say you could not find any other Priest who was willing to go, and he is that person,—I have deemed it well that he be given for each year that he has served and administered the Holy Sacrament in that government, until the end of this year, 1545, the said thousand *maravedis* you arranged with him as stated, and I command that whatever it will amount to shall be credited on account to the officers of the province that may have paid it to him, and for the future I will write to the Bishop of *Nicaragua*, being the nearest prelate of that province, that he shall take care to provide therein the priests and persons needful for the administration of the divine offices, and if he finds in the said Francisco Baxo the qualities which are required and that he is a person of good life and example, he shall provide for his service as curate in the Church of *Santiago*.

7. You state that there is a report in the province that there are some sepulchers, but that the people that are there have known that it is the command of His Majesty that half of all that may be found therein shall belong to His Majesty, wherefore they are offended and there is no one who wishes to go and seek for them. In spite of this you will keep and cause that there shall be kept what is provided and commanded to be kept for His Majesty.

From Valladolid, May 9, 1545.

I, THE PRINCE.

Countersigned by Sámano, and Signed by the Cardinal and Bernal and Velázquez and Gregorio López and Salmerón.²

² The letter of Diego Gutiérrez, which is answered by the Prince, Don Philip, is not found in the Archives of the Indies at Seville, nor in those of Simancas.

Doc. 29 Royal Cédula to the Bishop of Nicaragua Entrusting Him
 With the Charge of the Spiritual Matters of the Province
 of Cartago.

VALLADOLID, May 9, 1545.¹

THE PRINCE.

Reverend Father in Christ, Bishop of the Province of *Nicaragua*, Member of the Council of the Emperor King, my Lord:

Know ye, that it is said that Diego Gutiérrez, Governor of the Province of *Cartago*, has now lately settled a town that is called the *City of Santiago*, and that he is settling others; wherefore, as a matter of convenience, until His Majesty provides a prelate in the said province, you, since you are so near thereto, shall take in charge the spiritual matters therein and see that the service of the Church and divine worship shall be conducted with the reverence, purity and propriety that is proper, and that there may be Priests who may administer the Holy Sacrament in the churches thereof: and from the tithes of one-tenth in said province you are to take one-fourth part and the other three-fourths are to be distributed among the ecclesiastical ministers that actually may serve in the said province, and used in the repairs and decoration of the churches therein; and as I am informed that Francisco Baxo, Priest, resides in the said province and has served therein, you will inform yourself if he is a person of good life and example, and if he is found to be such, and has the qualities that are required, you will provide for his service as curate in the church of the said city which has thus been settled in the said province.

Dated in the city of Valladolid, on the 9th day of the month of May, 1545.

I, THE PRINCE.

Countersigned by Sámano. Signed by the Cardinal and Bernal and Valázquez and Gregorio López and Salmerón.

¹ Ubi supra.

Title of Governor and Captain General of the Province of Veragua (Government of Cartago), in Favor of Juan Pérez de Cabrera. Doc. 30

VALLADOLID, February 22, 1549.¹

DON CARLOS, etc.

Whereas, We have commanded to be made a certain agreement and *capitulación* with Diego Gutiérrez, concerning the exploration and settlement of the land that remains to us in the Province of *Veragua* and the islands there may be on the coast of the said land in the North Sea, which may not yet be conquered; and, in conformity with an article thereof, We commanded to be given, and We gave, our *cédula* and *provisión* for the government and captaincy-general of the said province and mainland, by the very reverend Father in Christ, the Cardinal Archbishop of Seville, who was at that time Governor of our Indies, delivered by the members of our Council and sealed with our seal, the tenor of which is as follows:

* * * * *

And because We were informed that the said Diego Gutiérrez was dead, our Royal Council of the Indies notified his heirs (without conceding to them any more rights than may belong to them by virtue of said *capitulación*, but rather safe-guarding our rights of property and possession within a certain period indicated therefor) that they should appoint a person to take charge at once of the Government at *Veragua* (pending the determination of the suit), which person should be qualified and capable for said office, because that was proper for our service and the good administration of that land. They were also notified that if the period expired suitable provision would be made. This notification was sent to Don Pedro Gutiérrez, son and heir of said Diego Gutiérrez: and in compliance therewith you, Juan Pérez de Cabrera, an inhabitant of the city of Cuenca were appointed, as appears by the petition for appointment, agreement and acceptance, signed with your name and by the notary, which is of the tenor following:

¹ Archives of the Indies. Audiencia of Panama. Veragua. Capitulaciones, etc., 1534-1628. Peralta, C. R., *Nic. y Pan.*, p. 157.

Sacred Caesarean Catholic Majesty :

I, Don Pedro Gutiérrez de Ayala, lawful son and heir of Diego Gutiérrez who was appointed Governor and Captain-General by Your Majesty of the Province of *Veragua*, and of all the rest that was contained in the *capitulación* and agreement which Your Majesty commanded to be made with the said Diego Gutiérrez to whom I refer,—

I say that the said Diego Gutiérrez, my father, is dead, as Your Majesty has known already, and for this reason Your Majesty commanded that I should be notified that, within nine days following, I might appoint a person to take charge of the administration of the said province, which order was extended until the day of The Kings (Epiphany) of the year 1547. Therefore, in compliance with such order, I appoint as such Governor and Captain-General of the said Province of *Veragua* and of the other regions contained in the *capitulación*, so that he may go and may hold all that the said Diego Gutiérrez could and should hold and govern in conformity therewith (except what is below retained for myself), Juan Pérez de Cabrera, domiciled in the city of Cuenca, an able person and capable of taking charge of the said offices and all other things which the said Diego Gutiérrez could and ought to hold; he is a person who has been and lived in that region, has much knowledge of it and has been Governor and Captain-General of the boundaries (*confines*²) of *Veragua* for Your Majesty, a gentleman, an *hidalgo*, well related in these kingdoms and a person who is suitable for the service of God and Your Majesty and for the welfare and progress of these provinces, etc.

² Honduras.

Royal Cédula to the Contadores Mayores of His Majesty, Doc. 31
 in Order that, by Virtue of the Renunciation by Don
 Luis Columbus of His Rights to the Dukedom of
 Veragua, There be Paid to Him a Revenue of Seven
 Thousand Ducats.

VALLADOLID, December 2, 1556.¹

THE KING.

Our *Contadores mayores*; know ye: That between us and Don Luis Columbus, our Admiral of the Indies, it was agreed and contracted that he should cede and transfer to us the Dukedom and land and state of *Veragua*, of which he had a perpetual grant, with all that belonged to it or that could in any way belong thereto, leaving to himself the title in perpetuity, of Duke of a town that is called *La Vega*, which is in the island of *Jamaica*. And that he should renounce all the offices of chief and subordinate *alguaziles* that he holds in the Island of *Española*, in our favor, in order that We may do therewith as may be to our best service, without there remaining to him anything pertaining to the said offices, except the right to sit in the municipal council and have a vote as one of the aldermen, as he has hitherto done, perpetually; also that he shall renounce the rights that belong to him by virtue of the office of said Admiral, with all his jurisdiction, civil and criminal, in all the courts, in order that We may do therewith as shall be best for our service, there remaining to him only the title of Admiral, for him and for his successors in his house and succession; and that in recompense therefor there should be given to him, and to his said successors in his house and succession, seven thousand ducats of revenue in each year, assigned from the revenues of the said island of *Española* forever—said sum to be had there; and if they are not thus received, they shall be assigned from some other part of the Indies: and that said seven thousand ducats are to be paid during his lifetime in the city of Seville, delivered from the customs revenues

¹ Archives of the Indies. Patronato. Simancas. Discoveries. Papers belonging to the Admiral of the Indies, Don Luis Columbus, concerning the conservation of his privileges. 1528-1597. Bundle IV and last privilege on parchment, where there is inserted on the back of Folio 1st the present *Real Cédula*. Peralta, C. R., *Nic. y Pan.*, p. 164.

of the Indies, either in gold or silver, as it may come to us from the *Casa de Contratación*: and other matters contained in said capitulation, in which there is an article concerning the said seven thousand ducats, of the tenor following:

First: There shall be paid to him seven thousand ducats of revenue in each year, assigned from the revenues of the Island of *Española* forever, they being had there, and if they are not had there they shall be assigned from some other part of the Indies, in the manner and form that is ordained as to the ten thousand ducats which he at the present time holds in the Island of *Española*; which seven thousand ducats are to be paid during his lifetime in the city of Seville, delivered from the Customs revenues of the Indies, either in gold or silver, as it may come to His Majesty from the *Casa de Contratación*: and after his lifetime it shall be paid in the Indies to his successors, in the region where they shall be located, in good money of gold or silver, worth in the said Indies or outside thereof the said seven thousand ducats. Which said agreement and *capitulación* by the said Admiral was agreed to and he made and delivered the writings in our favor in conformity therewith; and by us there was approved and confirmed all that was contained in our Royal *Provisión*, made at Ghent on the 28th day of the month of September, 1556; and We have commanded that in conformity with said agreement there shall be given unto the said Admiral what is provided in said articles, and that there be issued the *Provisiones* and warrants necessary therefor: and therefore in compliance therewith We have commanded a grant to be given to him in order that after his lifetime there shall be given and paid to the successor of his house and succession the said seven thousand ducats in the said Island of *Española*.

And for the other things that on our part are to be complied with towards him, the necessary warrant has been given, except so far as relates to the seven thousand ducats, which he is to have during his life from the customs of the Indies which are collected in the said city of Seville, in either gold or silver as it may come therefrom for us to the said *Casa de Contratación*.

And since it is our pleasure that there also be given to the aforesaid the proper warrants, you are commanded to note the said article which is above incorporated, and, in conformity therewith,

to give and despatch to the said Admiral, Don Luis Columbus, our grant of seven thousand ducats, which he is thus to have during his lifetime assigned from the said customs of the Indies, either in gold or silver as they may come therefrom for us to the said *Casa de Contratación*, in order that he shall enjoy the same from the said 28th day of September of the said year of 1556, We confirming the said agreement and acceptance in the future for the whole of his lifetime, by thirds in each year; which grant is given and despatched by virtue of this my *cédula*, without asking or demanding from him any other paper or writing whatever, nor any discount or deduction of a tenth, nor Chancellor's fees, nor any other duties which We may have the right to collect by the ordinances, if any there be, but we grant to him the amount thereof and it shall not be done in any way contrary hereto.

Done in the city of Valladolid on the second day of December of 1556.

THE PRINCESS.²

By command of His Majesty. Her Highness in his name, Francisco de Ledesma.

Royal Cédula to the Governor of Tierra Firme, Authorizing the City of Natá to Settle the Dukedom of Veragua.

Doc. 32

VALLADOLID, January 21, 1557.¹

THE KING.

Our Governor that now is or may be of the Province of *Tierra Firme*, called *Castilla del Oro*:

On the part of the Council, Officers of Justice, Aldermen, Knights, Squires, Officials, and good people of the city of *Natá*, which is in that province of yours, it has been reported to me that they, to serve us and increase our Royal Crown, will settle the province, land and *Dukedom of Veragua*, which We have granted to the Admiral Don Luis Columbus, and which, by the agreement that was had with him, he left, granted and transferred to us, in

² This is the signature of Princess Doña Juana, sister of Philip II, and at that time Regent of Spain.

¹ *Ubi Supra*. Veragua. Capitulations, etc. 1534-1628. Fernández, IV, p. 127.

order that We might do therewith as should be our pleasure, praying me to grant to them permission to settle the said land and to concede to them therefor some favors and recompense. And I, considering the aforesaid and understanding how desirable it is that the said land be settled and well governed, also that the natives thereof who are without the light of the Gospel may be enlightened and instructed therein, and that they as well as the Spaniards who dwell in the said city of *Natá* and in that province and those who visit the said land may be benefited, may establish themselves, may find locations and make a livelihood, and having due satisfaction and confidence in your persons and prudence: We have decided to grant to you the privilege, and, having the matter under your eyes, you will manage it as shall be for the service of God, Our Lord, the welfare of our Holy Catholic Faith, and also the increase of our Royal Crown, the good of the settlers and the natives of the land; and therefore I command you that you provide that the said province, land and state of *Veragua* be settled, observing in regard thereto the directions contained in this instruction, which are as follows:

1. In the first place you will require the persons who may be sent to the said settlement to select locations and places to settle with regard to whether the land is healthful and fertile—places where water and wood abound and where there are good pastures for cattle; all of which you will provide shall be allotted to the settlers, not taking or occupying anything belonging to the Indians, of which they are actually making use, without their consent.

2. And you will direct that when once the site where they are to settle has been selected they shall erect their houses, strengthening them to some extent, so that, if occasion requires they can defend themselves and their cattle, if the Indians wish to attack them.

3. You will see that those who shall thus settle keep peace and friendship with the Indians who live in the country, treating them well and so managing that they will be willing to dwell in the villages near to them, defending them and helping to defend them against those who may seek to harm them, subjecting them to a good administration and keeping them from vice, wrongful acts and bad customs, and by means of Friars and other good

persons, bringing and converting them to our Holy Catholic Faith and Christian religion voluntarily; and further you will provide that the Indians may be persuaded willingly to come to a knowledge of our Holy Catholic Faith and under our subjection, promising that, this being done, they shall be free from tribute for ten years.

4. Item. You will order so that the Spaniards who settle anew the villages that are thus to be made, shall conduct themselves and govern in peace and tranquility without offense or injury to anyone, appointing their officers of justice, aldermen and other necessary officers.

5. You will fix the salary of the aldermen and officers of justice and of the priests and persons belonging to religious orders, and to each one you will give instructions as to his prerogatives and the duties he is to perform, so that they may know what they must do, and require of them that they shall render an account of the disorders and excesses committed among themselves and against the Indians.

6. When they have built their dwellings and necessary defenses and shelters for their cattle, you will provide that they shall plant what is necessary for their subsistence and of the Indians they take with them and for those who may desire to come and build and live near them.

7. You will so direct that after they have done the above-mentioned they shall arrange for trade with their neighbors, providing them with things which they will need and securing those things which they themselves lack.

You will send persons of the religious orders and other good persons to teach and persuade them to receive our religion, and if they are recalled you will seek to assemble them in villages, so that they may live together, so that thus they may be better taught.

8. When you send persons to look over the land you will ask them always to watch for suitable and commodious locations where new settlements may be made.

9. You will provide that when their houses are built and their planting finished, they shall seek to discover mines and other things that may be of benefit, cultivating the land and enriching

it with new plants, such as vines and fruit trees, for their subsistence and advantage.

10. You will order that if the natives put themselves in the attitude of opposing the said settlement, they must be made to understand that it is not desired to settle there to do them any harm, nor injury, nor to take their properties, but to be friendly with them and to teach them how to live civilly, to know God and the law of Jesus Christ by which they shall be saved; and these things being done and these admonitions given, which must be done three times, during such time as shall appear proper to the person appointed by you, after consulting with the persons of religious orders who are in the settlement, by interpreters and by such religious persons it shall be stated and declared to them; and if notwithstanding this they are not willing to consent to the settlement, the settlers shall arrange to do it, defending themselves against the said natives, without causing them any more harm than may be necessary for their defense and to make the said settlement.

11. Further, after the place is built and the settlement made, you shall provide that the inhabitants and the persons of religious orders who are there, shall seek to traffic and communicate with the natives, to make friends of them and to make them understand the purposes aforesaid.

12. And if by good works and persuasions, the natives living near the said settlement shall become friends, so that they consent to receive persons of religious orders to teach them and to preach to them the gospel of Christ, you will provide that it may be done and seek to convert them and lead them to the Faith and to recognize us as their Sovereign Lord.

13. And so that the inhabitants of the said city of *Natá* and other persons may go with more willingness to settle the said Province of *Veragua*, We deem it well and We desire and We command that for the period of four years first succeeding, running and to be counted forward from the day that the first foundation shall be made, until the expiration thereof, there shall be paid to us only the twentieth, and no more, of all the gold and silver that shall be taken out and melted up from the mines that are opened in the said province, land and Dukedom; and when the said four years are completed they shall thenceforth pay to us

one-tenth of said silver and gold; and the aforesaid shall be collected and no more; all of which We charge and command you that you observe and comply with and provide that it be observed and complied with inviolably in the said settlement, for in the contrary case we shall hold that our service is not done.

Done in the city of Valladolid, on the twenty-first day of the month of January, 1557.

THE PRINCESS.

Countersigned by Ledesma. Signed by the Marquis, Sandoval, Briviesca, Don Juan Sarmiento.

Royal Provisión of the Audiencia of Peru.

Doc. 33

LOS REYES, May 20, 1559.¹

DON FELIPE, by the grace of God, King of Castile, etc.

Whereas in our Royal Audiencia and Chancellery, which by our command sits in the city of *Los Reyes* (Lima) of our Kingdom of *Peru*, before the President and Auditors thereof, on the part of Francisco Vázquez, who is a resident of *Natá*, and who in our name is charged with the settlement and pacification of the Province of *Veragua*, there has been presented a petition of the following tenor:

"Most puissant Lords:

"I, Francisco Vázquez, resident of the city of *Natá*, Captain General of the Province of *Veragua*, by my attorney, appear before Your Highnesses and say that His Majesty despatched his Royal *cédula* issuing out of the Royal Council of the Indiës, and dated at the city of Valladolid, in the month of January, of the year fifty-seven, by which he commands the Governor of the Province of *Tierra Firme* to appoint a person who shall settle and conquer the said Province of *Veragua*, that was the Dukedom of the Admiral Don Luys Columbus, but which His Majesty had placed again under the Royal Crown.

"And together with the said *cédula* he sent an instruction and articles in which were contained the order and form to be observed in the settlement of said territory;

"And it so happened, at the time and when the said *cédula* of

¹ General Archives of the Indies. Shelf 52. Compartment 5. Bundle 1-2. Fernández, IV. p. 134.

His Majesty came, that there was and resided in the said Province of *Tierra Firme*, as judge of *residencia* therein, the Licentiate Juan Ruiz de Monjaraz, who had been appointed to the said position by your Royal Audiencia, and who himself received the said Royal *cédula* and instruction that came with it, and by virtue thereof appointed me as Captain General of the said province under certain Articles and conditions which he prepared with me in order that in the name of His Majesty it should be conquered and settled;

“And in compliance therewith I came to conquer and settle the said province, and conquered it, and I have settled therein two villages, one called *Santa Fé*, in the region of the mountains on the watershed of the South Sea, and the other called *Concepción*, on the North Sea; and I have also settled the mines that are called *Veragua*, where so many armed companies and Captains and men have been lost and died, and therein there have been discovered the greatest riches that have ever been seen in the world; all which I have done with the favor and help of God, Our Lord, without having lost a man in all of the said expedition and without an Indian having died during the whole thereof, and at my sole cost and expense and from my own fortune, and with three hundred men whom I have engaged in the said conquest; in all of which I have expended more than thirty thousand *pesos*;

“And immediately after I discovered the said mines of gold, I sent samples thereof to the City of *Panama*, to the Licentiate Monjaraz, in order that he might see them and should publish it, so that all persons who might desire should be able to freely come and take out gold from the said mines and His Majesty be thereby served and the Royal fifths increased; by which said news, in the cities of *Panama* and *Nombre de Dios*, many men were induced, with a great number of negroes, to come to the said mines; and this being seen by the said Licentiate Monjaraz he yielded to ambition and greed for said gold and saying that he wished to come personally to the said mines, prevented the said residents of *Panama* and *Nombre de Dios* from coming to said mines with their said negroes to take out gold, whereby His Majesty has lost a great quantity of *pesos* in gold for the Royal fifths;

“And for this purpose he began to gather fighting men and appointed as his Captain Juan de Vargas, a resident of *Panama*, and

the other war officers needed, and he took banners and sounded a trumpet for the said expedition and published that he should give and distribute the mines that might be discovered and the Indians that might be in the territory among the soldiers and persons who might go with him upon the said expedition, and that from those who were with me and who had discovered and labored therein would be taken that they had acquired; for which reason the soldiers and residents of the city of *Natá* who were engaged with me in the said conquest and settlement revolted in such a manner that I am very fearful concerning them; and if the said Licentiate Monjaraz prosecutes the said expedition that he has begun, the settlements in the said mines will not be continued, the gold will not be taken therefrom, and His Majesty will lose a great quantity of *pesos* of gold for his Royal fifths;

"Furthermore, all this Province and Kingdom of *Tierra Firme* is in great danger of being lost, by which His Majesty would lose much in his service; and although many times, by my letters and by messengers, I have sent to beg the said Licentiate Monjaraz that he leave the said men and not stir up strife, but peacefully and quietly come to see this province and the mines thereof and to order and provide what should be most desirable for the service of His Majesty, and that he allow the residents of *Panama* and *Nombre de Dios*, and any other persons whatsoever, to come freely and dig for gold in the said mines, thus removing any ground for the soldiers engaged in this conquest to kill me, revolt and start insurrections contrary to the service of His Majesty; but he has not wished nor wishes, to do so, but has rather obstructed me and withholds the men, munitions and supplies that were accustomed to come for this settlement and the conquest of the said territory; whereby I have been and still am greatly damaged, and it is expected greater harm will result, to the great detriment of the service of His Majesty;

"Therefore, I beg and pray that Your Highness may be pleased to command the said Licentiate Monjaraz and any other person whatsoever who may govern in the city of *Panama* and *Nombre de Dios*, that they allow me freely to make the said conquest and settlement, since I make it in accordance with the instruction that I have from His Majesty, without exceeding in anything therein, and that the persons shall be allowed freely to come who shall

desire to take out gold from the said mines and settle therein and in the villages of this said province, and allow me to provide from my own funds all the provisions, munitions and supplies that shall be needed, as I have done up to now; and also that he be commanded not to enter into the said Province of *Veragua*, and if he shall be therein to at once depart therefrom; and that he shall not stir up or excite the people who are therein serving His Majesty, until His Majesty shall be informed of all the aforesaid and provides therein as he shall best be served; in all of which Your Highnesses will do a great service to God and will increase the population of this province and will do me a great help and favor.

“And further: Whereas in one of the Articles which the said Licentiate Monjaraz agreed with me, at the time I undertook to conquer and settle this province, it says that I can appoint Royal officials for the Royal Treasury of His Majesty, who shall act in the said offices until His Majesty may provide for them as he may be pleased; by virtue of which said Article I have appointed the said officials, and though I have many times sent to ask the said Licentiate Monjaraz that he command the officials of *Tierra Firme* to send a Royal stamp, so that therewith the gold which is in this province may be marked and tithed (i.e. one-fifth taken for the King), he has not been willing, nor does he wish to do so; by reason of which the soldiers and persons who have the said gold deal with it without its being tithed, and His Majesty will lose his Royal fifths thereof; to Your Highnesses I pray that you may be pleased to direct the officials of *Tierra Firme* to send a Royal stamp to the officials of the said province, with which to mark and tithe the said gold; and that license be given that the said officials of said province engrave it in the same way as is done in other parts of the Indies; by this action His Majesty will be served and his Royal province receive help and favor.

“FRANCISCO VAZQUEZ.”

Which being considered by the said President and judges, to avoid the difficulties which might arise from the aforesaid and to provide a remedy henceforth, confiding in you, Bernardino de Román, our Factor of the Government of *New Castile* of our said Kingdoms of *Peru*, and in your prudence and experience which you will exercise therein as is suitable for our Royal service and

the conservation of that territory and the benefit of our Royal Treasury, it was agreed that We ought to commit, as We do by these presents commit to you, this affair, and We select you therefor; and We command you that, as soon as you receive this, you will embark in the Port of *Callao* of the City of *Los Reyes*, with the insignias of our justice, if you deem it desirable, and you shall proceed to the City of *Panama* and Kingdom of *Tierra Firme*;

There, as soon as you shall arrive, you shall inform yourself of the condition of the said controversy between the said Licentiate Monjaraz and Francisco Vázquez; and if both or either of them shall have any fighting men gathered and opposed and in dispute, you shall go to the parties and places where they shall be and shall have the said men, and where it shall seem to you most suitable, and you shall there provide that they shall submit and that the Licentiate Monjaraz return to the government which was entrusted to him, and the said Francisco Vázquez, to the settlement and pacification of the said Province of *Veragua* which is entrusted to him;

And if any person or persons shall have been arrested or detained by one party or the other in this affair, you will place them at liberty; and in case the said Francisco Vázquez is despoiled of the settlement that is entrusted to him, you will restore it to him and place him and protect him therein, causing to be kept, and keeping in everything, the agreement and Capitulation that was made with him concerning the said settlement and pacification; and if any one or more of the private persons among the settlers of the said Province of *Veragua* shall have had his location and mine taken by reason of the said differences, you shall restore it, placing everything in the state and condition in which it was before and at the time the aforesaid occurred;

And in order that the said settlement and the labor of the said mines may go forward, you shall provide that each and all persons whatsoever, of whatever state or condition they may be, who shall live and reside in the cities of *Panama* and *Nombre de Dios* and Kingdom of *Tierra Firme*, or elsewhere, who shall desire to go to the said Province of *Veragua* and to live therein, and to take negroes to work the mines, and supplies and tools and other things, may do so and take them freely by sea and by land,

without our said Governor, nor any other person whatever placing any hindrance or impediment whatever thereon;

And should the said Francisco Vázquez desire to act in the aforesaid, by himself or by his attorney, he may do so freely; and this done, in whatever state you shall find the said affair, you shall make an inquest into all that has occurred, in the way that shall appear to you best, in order to ascertain the truth; and this done you shall send a transcript thereof, closed and sealed and authorized to our Royal Council of the Indies, and another to our President and Judges of our Royal Audiencia of *Peru*, in order that being seen there may be provided what is most suitable for our Royal service;

And all the aforesaid being accomplished, you shall go to the said Province of *Veragua*, where you will see whether, in the location of the gold mines that have been discovered, the ordinances relating thereto have been observed; and whether, in conformity therewith, and with the *capitulación* that was entered into with the said Francisco Vázquez, mines were located and taken for us, and the character thereof, so that you may be informed of the condition they are in, and you shall make a report thereof to our Royal Council of the Indies and to our President and Judges, in order that they may take such action concerning the same as shall be for the best advantage thereof;

And whereas, by the said petition presented on behalf of the said Francisco Vázquez, it is stated that there is no minting place (*fundición*), since they have no Royal die, and it is desirable that there should be in order that all the gold and silver and all other things that they may have shall be marked, and the duties which belonging to us collected, We command you that, in your presence and before a notary, there be prepared a Royal die with our inscription, a castle and a lion, with which We command to be marked all the gold and silver and any other metal that may be taken out in the said province; all of which you shall deliver to our *Contadores* of the province, and they shall place it in the chest with three keys kept for the said purpose; and you shall provide that thenceforward there shall be no traffic with nor contract based on gold that does not bear the stamp; and if, in order to carry out the aforesaid, it shall appear to you necessary to appoint a notary and *alguacil* clothed with jurisdiction, you may do

so; and for the expenses for messenger's and notary's and *alguazil's* fees, and others incurred in necessary matters you are authorized to levy and you shall levy on the proceeds of penalties that shall be and are applicable, and are applied to the expenses of justice in the said Kingdom of *Tierra Firme* and in the said Province of *Veragua*; and by these presents We command the receivers thereof to accept and pay, out of their receipts from the said penalties, such drafts as you shall draw, in order that when presented, with the quittances of the persons to whom they shall have been given, receipts therefor may be delivered, and the drafts passed in account for the quittance of those who thus pay them;

And by these presents We command the said Licentiate Monjaraz and Francisco Vázquez, and the Captains and officials of war and the men who are in their company, and each and every one thereof, that they come at your call and comply with your commands, concerning what is contained in this Royal *provisión*, and they shall not do or consent that there be done anything beyond what you shall direct by virtue thereof or that relates thereto or is dependent thereon, under the penalties that shall be imposed on our behalf upon them; which penalties when by you imposed, We hold as condemned the one who is at fault and disobedient, and We give to you power and authority to execute the same upon the persons and property of any one who fails to fulfill and keep your said commands;

And if, when you shall have arrived in the said kingdom of *Tierra Firme*, the said Licentiate Monjaraz and Francisco Vázquez shall not have dispersed the said men, or if they shall not be in accord with you, and in entire peace and quiet, and if the Governor who was by us newly appointed from Spain for the said Kingdom shall not have remedied the trouble, you shall undertake to compel the fulfillment and accomplishment of what is contained in our Royal *provisión*; and We direct the said Governor that he shall freely allow you to complete and carry it into effect, under such penalties as in our name you may inflict; and in order to act as aforesaid all matters in whole or part, We give you full power, as may be required in such case, with its incidences and dependences, annexes and connexes.

Done in the city of *Los Reyes*, on the twentieth day of the month of May, one thousand five hundred and fifty-nine.

El Marqués, Doctor Bravo de San Bía, El Licenciado Mercado de Peñaloza, El Doctor Qüenca. (Four flourishes.)

I, Diego Muñoz Ternerero, Notary of the Chamber of His Catholic and Royal Majesty, have written it by his command, with the accord of his President and Judges.

ALONSO DE VALENCIA.

By the Chancellor: El Licenciado Ramírez de Cartagena.

Doc. 34 **Commission and Instructions, to the Licentiate Alonso Ortiz de Elgueta, to Settle Certain Territory, Wherein is Included Part of Veragua and the Province of Costa Rica.**

TOLEDO, December 13, 1559.¹

THE KING.

To the Licentiate Alonso Ortiz de Elgueta, our *Alcalde Mayor* of the Province of *Nicaragua*:

We are informed that *between that Province of Nicaragua and that of Honduras and the Desaguadero of Nicaragua, on the side of the cities of Nombre de Dios and Panama, between the South Sea and that of the North*, there are many Indians without light or knowledge of the faith, but who have shown great evidences of yielding obedience and receiving the Christian doctrine;

And since We much desire that this country may be settled and properly governed, and the natives thereof enlightened and taught in our Holy Catholic Faith, and also that the Spaniards who go that way be benefited and be established and have a fixed location and livelihood; and having understood that it is important to the welfare of that country that the settlement thereof should be orderly made, We directed it to be discussed in our Council of the Indies; and feeling great confidence and satisfaction in you, as is right, We have resolved to entrust the task to you, so that having the matter before you, you will act therein as shall

¹ General Archives of the Indies. Shelf 109. Compartment 1. Bundle 1. Fernández, IV, 143.

be best for the service of God, Our Lord, and the growth of his Holy Catholic Faith, as also our service, the aggrandizement of our Royal Crown and the welfare of the settlers and natives of that territory; and so We command you that you undertake the same with the care and diligence which We are sure you will exercise; and in the said settlement and exploration you will observe, and you will cause to be observed, the directions in this instruction contained, which are as follows:

First: Having arrived in that territory with the men and the Friars which you shall take, you will select sites and places to settle, having regard that the territory is healthful, fertile, and abounding in water and wood, with good pasturage for cattle; all of which you will distribute to the settlers, without occupying or taking anything of which the Indians are actually making use, without their consent.

Having selected the site where a settlement is to be made, you will give orders that they build their houses, arranging them so that if needed they may defend themselves therein, and protect their cattle, in case of any attack by the Indians.

You will see that those who thus settle shall live in peace and friendship with the Indians who dwell in that country, treating them well, endeavoring to get them of their own volition to live in villages near them, defending them and aiding them against those who desire to do them harm, subjecting them to good government, seeking to have them abandon vicious and bad customs and endeavoring, by means of Friars and other good persons to subject them and convert them to a voluntary acceptance of our Holy Catholic Faith and Christian religion. If there shall be among the said Indians any persons who will not listen to our doctrine, or be converted, or who maltreat those that do so, you will see to it that they are punished and subdued, so that this may not thus continue; and if they be masters, give orders that their authority be taken from them and the command and power that they had to do so.

Further: You shall provide so that the Indians may be persuaded to come of their own accord to a knowledge of our Holy Catholic Faith and under our subjection, ordering it in such manner that by doing so they shall be free from tribute for ten years.

Item: You will give orders as to how the Spaniards who settle the new villages shall conduct the settlement, so that they may be ruled and governed in peace and quiet, without any wrong or injury to anyone, appointing their ministers of justice, aldermen and necessary officials.

You shall provide for the administration of justice, and appoint aldermen and priests and friars and to each you will give instructions as to their privileges and duties, so that they may know what they are to do; and for the disorders and excesses that the people commit, both against the Indians and among themselves, those who are in authority shall be held accountable.

Having constructed their dwelling and the buildings needed for their defense and the protection of their cattle, you will provide that they plant what is necessary for their maintenance and that of the Indians that they have with them, as well as others who desire to come and dwell near them.

When the aforesaid has been done you will endeavor to begin trade and commerce with your neighbors, furnishing to them things which they may need and obtaining from them the things that you may lack.

You shall take with you friars and other good persons, who shall teach and persuade them to receive our religion; and you shall arrange so that if they are separated they may be gathered into villages, in order that they may be together and thus the more easily taught.

The persons whom you may send to inspect the territory should always be instructed to look out for places that will be suitable and convenient for new settlements.

When the houses are built and the planting has been done, you will arrange for the cultivation of the land, improving it with new vines and fruit trees, for their maintenance and benefit, and exploring for mines and other things that may be beneficial.

Item: If the natives shall attempt to prevent the said settlement, they should be given to understand that it is not desired in settling there to do them any harm, or to take their property, but to be friends with them and to teach them to live peaceably, to know God, and to show them the law of Jesus Christ by which they are to be saved; and this effort having been made and this

warning given, which is to be done three times for such time as you may think proper, taking the opinion of the friars how it shall be stated and declared, then, if notwithstanding the aforesaid they do not wish to consent to the settlement, the settlers shall arrange to make it, and defend themselves from the said natives, without doing any more harm than is needful for their defense and to make the said settlements.

Further: After having chosen the said site and made the settlement, with the residents and friars that you shall have there, you will undertake to enter into trade and communication with the natives and make friends of them and give them to understand the purposes as before stated.

And so with good works and persuasions, the natives living near the said settlement are to be made friends, so that consenting that the friars go and teach them and preach to them the gospel of Jesus Christ, you shall arrange that it be done and seek to convert them and bring them to the faith and that they acknowledge us as their sovereign Lord.

You are to appoint our officials in the said territory, so that in accordance with the instruction and order that is given they shall administer our finances and do the other things which are committed to our officials of the said Province of *Nicaragua*:—until We shall otherwise provide.

And to induce them to go more willingly to settle the said territories, by these presents We think it well, and We command and desire that, for the term of ten years first following, which shall run and be counted from the day that the first settlement is made until they are completed, upon all the gold and silver, pearls and precious stones that are taken from the mines and are found in the said territories, the residents who settle them and the persons who shall go to them, shall pay us one-twentieth thereof, and no more; and when the ten years have expired, for the next four years following they shall pay us one-tenth of all the said gold and silver and pearls and precious stones; and the aforesaid shall be collected, and no more, for the said four years.

This We charge you and We command that you observe and fulfil the same and cause it to be faithfully kept and complied with; otherwise We shall hold ourselves as not served.

Done in Toledo, the thirteenth of December, one thousand five hundred and fifty-nine.

Countersigned by Eraso: Signed by Briviesca, Vázquez, Agreda, Castro, Jarava.

Doc. 35 **The Audiencia of the Confines, to His Majesty the King,
Concerning the Pacification of the Chomes Indians and
Conquest of New Cartago.**

SANTIAGO DE GUATEMALA, December 18, 1559, and
(Duplicate), June 30, 1560.¹

The Province of *Veragua*, which is otherwise called by the name of *New Cartago*, is in this district of ours, and borders on the Province of *Nicoya*, where Your Majesty always has a *Corregidor*,² and for the past two years there have been brought to peace some neighboring Indians called the *Chomes*, who have been well received, and presents given to them in the name of Your Majesty, providing them with churches, priests and ornaments and other things important to their Christianity and Government, without their having up to the present time given anything therefor, or done anything by way of acknowledgment; and these Indians report that with a little effort on our part there might be turned to peace other neighboring tribes that are in the interior of the country.

To the Licentiate Cavallón, *Alcalde Mayor* of *Nicaragua*, command was issued and instructions given, that if there was found a disposition to settle a town in *Veragua* it might be done, but peacefully and not with war. We understand that he will do it in the Spring, and if it is done Your Majesty will be greatly served, as the country is richer in gold than has been discovered.

THE LICENTIA TE LANDECHO.

DOCTOR MEXÍA.

DOCTOR BARROS DE SANMILLÁN.

¹ *Archives of the Indies*. Simancas. Secular. Audiencia de Guatemala. Letters and Despatches of the President and Auditors (*Cartas y expedientes del Presidente y Oidores*). Bundle 1 of 1529 to 1573. Peralta, *C. R. Nic. y Pan.*, p. 178.

² Governor of a province peopled by Indians who paid tribute to the Crown; he was appointed directly by the King.

Royal Provision, of the Audiencia of the Confines, Authorizing the Licentiate Juan Cavallón for the Settlement of the Province of New Cartago and Costa Rica. Doc. 36

SANTIAGO DE GUATEMALA, January 30, 1560.¹

DON PHILIP, by the Grace of God, King of Castile, etc.

Whereas, the Licentiate Juan de Cavallón, resident of the city of *Santiago* of the Province of *Guatemala*, by his petition which he presented before our Audiencia and Royal Chancellery of the *Confines*, made a statement to us, saying that to him the favor had been made of appointing him as our *Alcalde Mayor* of the province of *Nicaragua* for two years; that it adjoins the new Province of *Cartago*, which had already been explored and was reported to be a land rich in mines of gold, by the settlement of which God, Our Lord, would be served and it would be for the general good and benefit of all the district, having as it had many people without means for their support or employment, and many gangs of slaves and no mines out of which to take gold as it was accustomed to be done; that, once settled, the continual murder and robbery which the natives of the said Province of *Nicaragua* suffered from those of said *New Cartago*, and which were notorious, would cease; that he, to serve God, Our Lord, and ourselves, desired at his own cost to settle the said province and he begged and petitioned as a favor that the order might be given prescribing how it might be made and executed in the most desirable way, which he offered to do at his own expense, observing the instructions that might be given therefor; and that as all the *Alcaldes Mayores* who had been in the said Province of *Nicaragua* had been directed to abandon the city of *New Jaén*, there should be given to him a similar *provisión* to transfer it to the said Province of *Cartago*, in the same manner and form that had been prescribed for Gerónimo de San Martín, our Treasurer of the province of *Honduras* when he transferred *New Salamanca*,—or that We should there take such action as might be our pleasure;

¹General Archives of the Indies: Shelf 65. Compartment 1. Bundle 17. Fernández, IV, p. 164.

All of which, having been considered by the President and Judges of our said Audiencia, it was by them agreed that they should command this our letter to be given to you for the said purpose; and We have approved of the same: by which We command you that you go to the said Province of *Nicaragua* to exercise therein your said office of *Alcalde Mayor*; and arrived in the said Province you shall inform us of what is most desirable concerning the settlement and exploration of the said Province of *New Cartago* and *Costa Rica*; and if you shall see that it is desirable for the service of God, Our Lord, and ourself, to enter to settle in the said territory, We give you license and authority in order that you may be able to settle and explore the said territory and Province of *New Cartago* and *Costa Rica*, from the said Province of *Nicaragua*;

And you shall be empowered to take the men most necessary for the said purpose, observing and complying with the instructions which will be given to you by our said Audiencia, signed by our President and the Judges thereof, as is therein contained, in which will be given to you the order that you are to observe in settling and entering the said territory; therein you are to be our *Alcalde Mayor*; and you are to have therein our civil and criminal jurisdiction, and you are to hear all the suits and causes that shall arise and come up in the said territory, which you shall settle and to which you shall have gone, between all persons of whatever quality or condition they may be who are or shall have settled therein, deciding the said suits and causes by your orders and final sentences, granting the appeals that may be taken from you in cases wherein the parties are lawfully entitled thereto, to be heard before us and our said Audiencia;

And We command all the Spaniards and people who shall go in your company to the said settlement, and other persons of whatever estate, quality or condition, who shall be in said territory or enter therein, that they shall hold, respect and obey you as our *Alcalde Mayor* and comply with your commands; and for the execution and administration of our justice all persons shall conform with you, themselves and their subordinates, and give you the favor and assistance convenient and necessary and which you shall ask for from them; and they shall come and appear before you at your call and summons, under the penalties that on

our part shall be imposed upon them, holding them as condemned if they act contrary thereto, and you shall execute them upon those who are rebellious and disobedient; and you shall exercise and conduct the said office, in everything relating thereto, by yourself and by your deputies, whom you shall appoint therein, being empowered to appoint and to discharge and remove as you shall desire and shall deem proper, and to appoint others again; and to appoint *alguaziles* who may carry out your commands and clerks before whom you may conduct your official business;

And for all of the aforesaid, and that which pertains to and is dependent thereon, We give you full power, with all its incidences and dependences, annexes and connexes; and so also We give power and authority to any residents whatever of the said Province of *Nicaragua*, and the other provinces subject to our said Audiencia, who desire to go in your company to the said Province of *Cartago* and *Costa Rica* to take part in the said settlement; this they may do even though they hold Indians by allotment in our Royal name and occupy two years in the said expedition next thereafter, which run and are counted from the day that they shall depart for the aforesaid purpose from the locality and place where they have been keeping the said Indians, provided they leave houses occupied with persons who shall serve us during the period of their absence in what is convenient and necessary and give bonds before our Royal officials of the Province where they are residents that they will come back within the said two years, and if not that they will restore to us the tributes that shall be paid as revenues by such Indians as are thus held;

And provided that from the day that you, the said Licentiate Juan de Cavallón shall set out from the said Province of *Nicaragua*, to undertake the said settlement and expedition by sea or by land, you shall not further exercise the office of our *Alcalde Mayor* of the said Province of *Nicaragua*, nor shall you take, nor shall there be paid to you any salary by reason of said office, except as stated for the time that you shall personally reside in the said province, and no longer;

And our Royal officials shall observe and comply therewith; and in no one or other of the provisions hereof shall you or they fail, under penalty of our disfavor and a thousand *pesos* in gold for our Chamber against each one who shall act contrary thereto.

Done in the city of *Santiago de Guatemala*, on the thirtieth day of the month of January, one thousand five hundred and sixty.

THE LIC. LANDECHO.

THE LIC. JUFRE DE LOAISA.

I, Diego de Robledo, Notary of the Chamber of His Majesty, have caused it to be written by his command, with the accord of his President and Judges.

Chancellor: Pedro de Vizcarra. Registered: Diego de Robledo.

Doc. 37 **Royal Cédula to the Audiencia of the Confines Concerning the Commission Given to the Licentiate Alonso Ortiz de Elgueta.**

TOLEDO, February 23, 1560.¹

THE KING.

To the President and Judges of our Royal Audiencia of the *Confines* which sits in the city of *Santiago* of the Province of *Guatemala*:

Know ye, that We have charged the Licentiate Ortiz, our *Alcalde Mayor*² of the Province of *Nicaragua* with the settlement of certain territory which there is *between the said province and that of Onduras and the Desaguadero of the said province, on the side of the cities of Nombre de Dios and Panama, between the South Sea and that of the North*; and that he shall endeavor to bring to peace and to a knowledge of our Holy Catholic Faith, jointly with the Friars whom he will take for that purpose, the native Indians of that territory;

And because it is our will that the said Licentiate and the Friars who may go with him to undertake the foregoing shall be assisted and encouraged, I command you that you shall give to them therefor every encouragement and aid, so that they can freely undertake the said settlement, pacification and conversion;

¹ General Archives of the Indies. Shelf 144. Compartment 1. Bundle 16. Fernández, IV, p. 168.

² Chief official of a province of less importance than that administered by a Governor.

And if the said Licentiate should desire to enlist some Spaniards or Indians for the said settlement, they being desirous of going of their own will, you are to allow and consent that they may be freely enlisted, without placing or allowing any impediment to be placed in the way thereof.

Dated at Toledo, the 23rd of February, 1560.

I, THE KING.

By command of His Majesty:

FRANCISCO DE ERASO.

Royal Cédula to the Licentiate Ortiz, Alcalde Mayor of Nicaragua, Giving Him Instructions and Powers to Undertake the Settlement and Conquest of the Province of Costa Rica.

Doc. 38

TOLEDO, February 23, 1560.¹

THE KING.

Licentiate Ortiz, our *Alcalde Mayor* of the Province of Nicaragua:

You know how We have charged you with the settlement of a certain land that lies *between the Province of Nicaragua and that of Honduras, and the Desaguadero of the said province, on the side of the cities of Nombre de Dios and Panama, between the South Sea and the North Sea*, and that you should seek to pacify and to bring to a knowledge of Our Holy Catholic Faith the native Indians thereof, and that for this there has been given to you instructions as to what you should do; and because it is desirable that those who may go with you to settle the said land may go with more willingness and that they may be profited thereby,—by these presents I give to you license and authority to do and to provide the things following:

1. Firstly: When the said land shall be explored, pacified, reduced to obedience and placed under our Crown and Royal service, you will tax the tribute that the Indians will have to pay to us, in accordance with the new laws and provisions and *Cédulas* given by us; and from the said tribute, when the Indians have once

¹ *Archives of the Indies* Audiencia of Guatemala. Registers. Nicaragua. (*Reales órdenes á las autoridades y particulares de aquella provincia*). 1529-1604. Book III. Fernández, IV, p. 169.

been placed under the Royal Crown, you, the said Licentiate, will assign to each one of those who shall have gone with you, or who shall go to said settlement, the sum that may appear to you to be appropriate to the character of their persons and services, giving it to them for the period covered by three lives, provided that after these are ended, it shall revert to our Royal Crown. And it is also declared that there shall be kept in our Royal Treasury out of the said tribute a sum sufficient for the salaries of the officers of justice and officials of the said land, as well as the prelates, friars, and other ecclesiastical persons, and what will be necessary for public worship, the Christian doctrine and the administration of the sacraments; and that after this there shall remain to us a sum for the defense of the country and some relief for our necessities. And you are warned that you are not to *encomendar* (make allotments) of Indians to anyone, for our pleasure is that they shall not be allotted.

2. *Further:* You are to cause it to be known and published throughout the country, in order that the Indians may the better and more willingly be converted to Our Holy Catholic Faith, that they are not to be allotted, sold, nor alienated, but they are to be and remain perpetually for us and for our Royal Crown.

3. *Item:* We give permission and authority to you, the said Licentiate Ortiz, to grant building lots, and lands for sugar estates, kitchen gardens and vineyards;—to distribute water and to grant *caballerias*² of land for wheat and farms for pasturage of cattle, in each town that may be settled, without prejudice to the Indians, allotting to each one in accordance with reason and the character of his services and person.

4. *Item:* We grant to the said settlers as communal lands of the settlement that may thus be made, such lands, commons, and pasturages and other things as you shall assign, if it shall seem good to you.

5. And because it is desirable that the gold and silver mines in that country should be explored, and some be assigned to us that may be good, as was done in the Province of *Peru*, We com-

² An ancient Spanish land measure, the amount given in a conquered territory to each one of a body of cavalry, hence its name from *caballeros*. It is equivalent in Costa Rica to a little more than forty-five *hectares*, or about 112 2/5 acres.

mand by these presents that, from the mines that shall be discovered, both of gold and silver, there shall be assigned to us some good mines, and those that are thus assigned, you, the said Licentiate, shall give orders that they shall be worked for us at the least cost and the greatest possible advantage for our treasury.

6. And since it is desirable that We may be promptly informed as to the said land and to the character of it, you shall advise us concerning it with the utmost despatch, sending to us a private report of everything therein and of what you think We should most be advised. Having seen your report and the result of your service in the said settlement, We shall command that you be given that which your services may merit.

7. And since it may be that some persons who hold Indians by *encomienda* in the said Province of *Nicaragua* may wish to go with you to the said settlement, by these presents We approve that in case some having such *encomiendas* may desire to go with you, they may be allowed to go, and may go, one-fourth part of the Spaniards that there may be in each town of the said Province of *Nicaragua*, but each one shall leave a person in his place who can comply with the duties to which he is obligated, without taking away or removing for this purpose the Indians that they may have during the time that they may continue and remain in the said settlement.

Done in the city of Toledo on the twenty-third of February, 1560.

I, THE KING.

Countersigned by Francisco de Eraso, and signed by Briviesca, Sarmiento, Vázquez, Agreda, Castro and Jarava.

Royal Cédula of July 18, 1560, to the Audiencia of the Confines, in Regard to the Settlement of Royal Veragua, or New Cartago.¹

Doc. 39

THE KING, * * *

You state that the Province of *Veragua*, which is otherwise called by the name of *New Cartaga*, is in that district of yours

¹ *Archives of the Indies*. Audiencia of Guatemala. Royal orders addressed to the Authorities of their District (*Reales órdenes dirigidos á las Autoridades de su Distrito*). From 1551 to 1560. Fernández, IV, 172.

and borders on the Province of *Nicoya*, where We always have a *Corregidor*, and that for the past two years there have been peacefully subjected some neighboring Indians that are called *Chomes*, to whom many presents have been made in our name and who have been provided with churches, priests and ornaments, and with *Alcaldes* and other things important for their Christianity and civilization; and furthermore that from some Spaniards who have been in and traveled over most of the Province of *Veragua* there are reports of its having in it greater riches in gold than any other part that has been discovered; that there are few Indians and these are scattered; that easily and without war they can be brought to peace and great riches can be had therein without difficulty; that some prominent persons have offered to go on this expedition at their own cost, but that for certain reasons, up to the present time they have not been given permission, and that if it is given it will be greatly modified.

For the settlement of *Nicoya* and the territory adjacent thereto, We have provided the Licentiate Ortiz, our *Alcalde Mayor* of the Province of *Nicaragua*, to whom was given the commission necessary therefor; and as to the territory that there is in *Veragua*, on the side of *Natá*, Captain Francisco Vázquez has settled it by our order.

When the commission of each is examined by you the proper order will be given. In the land that remains to be settled, you will provide what is most desirable for the service of God, Our Lord, and ourselves, and you will advise us of what you may therein do and provide. * * *

Done in Madrid on the eighteenth day of July, 1560.

I, THE KING.

By his Majesty's order,

JUAN VÁZQUEZ.

The Dukedom of Veragua Becomes the Province of Veragua. Royal Cédula Appointing Francisco Vázquez Governor of that Province. Doc. 40

TOLEDO, August 20, 1560.¹

DON FELIPE, etc.

Whereas, We, having commissioned our Governor of the Province of *Tierra Firme*, to give orders how the Province of *Veragua* should be settled, and having sent to him instructions as to the form and manner of making the said settlement, the Licentiate Monjaraz, who was our Governor and judge of *residencia* therein, entrusted the said settlement to you, the Captain Francisco Vázquez, and entered into a certain agreement and *capitulación* with you therefor; in compliance therewith it appears that you, the said Francisco Vázquez went with men to settle the said Province of *Veragua* and are at present making settlement therein; and because, among other things, it appears that the said Licentiate Monjaraz, agreed with you and in the said *capitulación* that there should be given to you the government of the said province for fifteen years, it is our will and pleasure that what the said Licentiate agreed with you in the said *capitulación* be kept and complied with;

Therefore, in compliance therewith and because We understand that thus will our service be done and the good government of the Province of *Veragua* and the administration and execution of our justice therein be secured, and respecting the capacity and ability of you, the said Captain Francisco Vázquez, it is our will and pleasure that now and from this time henceforth, for the said fifteen years, and for such further time as may be our will, you shall be our Governor and Captain General of the said Province of *Veragua*, and that you have charge of our civil and criminal justice in all the cities, towns and places that are settled in the said province and which shall be settled, with the judicial offices that there shall be therein.

¹ General Archives of the Indies. Shelf 109. Compartment 1. Bundle 17. Fernández, IV, p. 173.

Done in the city of Toledo, the twentieth of August, one thousand five hundred and sixty.

I, THE KING.

Countersigned by Juan Vázquez.

Delivered by Don Juan, Librada, Castro, Valderrama.

Doc. 41 Commission Given by the Licentiate Juan Cavallón to Juan de Estrada Rávago, Stating the Boundaries of the Province of Costa Rica.

LEÓN DE NICARAGUA, September 22, 1560.¹

I, the Licentiate Juan de Cavallón, His Majesty's Judge of the Royal Audiencia of the Island of *Española* and his Chief Justice in the Province of *Cartago*, *Veragua* and *Costa Rica*:

Whereas, being informed that it was desirable, His Majesty and his Royal Audiencia of the *Confines*, committed to me, the settlement of the said Province of *Cartago* and *Costa Rica*, which is all the territory that is left in the Province of *Veragua*, from Sea to Sea, inclusive, and which begins from where ends the square of twenty-five leagues that His Majesty granted to the Admiral Don Luis Columbus, towards the West, they beginning from the *Belén* river inclusive, counting by a parallel toward the western side of the Bay of *Çorobaró*; and where the said twenty-five leagues end, another twenty-five leagues begin by a North-South meridian; and as many more begin from the said *Belén* river by the said meridian and by the said North-South direction; and where the said twenty-five leagues end there begin another twenty-five leagues, which are to be counted by a parallel until they finish where the said twenty-five leagues end which are counted forward from the said Bay of *Çorobaró*; in such a manner that from where the said square of twenty-five leagues ends, measured in the manner stated, there begins the said Province of *Cartago* and it terminates at the *Rio Grande*, towards the West, on the other side of Cape *Camarón*; of which His Majesty did me the favor to appoint me his *Alcalde Mayor* and *Chief Justice* and

¹ General Archives of the Indies. Shelf 65. Compartment 1. Bundle 17. Fernández, IV, p. 177.

to give me the authority to settle it, as appears by the Royal *Provisión*, the tenor of which is as follows:

(Here follows the appointment of Cavallón.)

Therefore, having been informed that by the said settlement great service would be rendered to God, Our Lord, his Holy Faith augmented and increased, and His Majesty thereby well served, and that therefrom would result great good for many reasons and causes which are too numerous to be stated here; and for the execution of the aforesaid, and that it may have its due effect, as is desired, for the service of God, Our Lord, and His Majesty and the augmentation of our Holy Catholic Faith, it is desirable that there should be a person, who may go with my power and authority to establish a city or town by the Sea at the Port of *San Gerónimo*,² with the people who at the present time are gathered and ready in the frigates which are in the Lake of *Granada*, by the *Desaguadero*;

And respecting the capacity and ability and fitness, and the good character and reputation of the Very Reverend Señor Juan de Estrada, a priest, and believing that he will well and faithfully undertake the aforesaid, and whereas, moved with the same desire of serving God, Our Lord, and His Majesty, he has offered to go on the said journey in the said frigates and undertake the settlement of the said city or town at the said port; and because I, personally, cannot be present thereat, because, by the will of God, I have to go into the interior with the rest of the men that I can and may get together—which seems desirable for the said settlement, to take as there is taken, and must be taken, many animals of all kinds and many horses and other things necessary and convenient, which cannot go by sea—and having regard to the foregoing, by virtue of the said Royal *Provisión*, I give my full power and authority to the said Señor Juan de Estrada, so that, in accordance with the said Royal *Provisión* and Instruction which I will give him signed with my name, he can undertake the said settlement, accordingly and as by the said Royal *Provisión* I have it from His Majesty, and appoint my deputies in any city, town or place that may thus be settled, and discharge each of them whenever it may appear to him desirable, as well as

² Almirante Bay.

Alguaziles and scriveners, observing in all the aforesaid the said Instruction, which is of the tenor following:

First, you will especially observe the service of God, Our Lord, and of His Majesty, and labor to the end that the people who may go there to settle shall establish brotherhoods for the celebration of the Holy Sacrament and of the Name of Jesus and of Our Lady of the Rosary, because it is thus promised, since it is pleasing to God, Our Lord, that this expedition and settlement shall proceed so that shall be most profitable to His service.

Furthermore, you are to land at the Port of *San Gerónimo*, and as soon as you disembark you will arrange for the selection of a site and place on which to settle near the sea, taking care that it may be a healthful place and fertile and abounding in water and wood and pastures for cattle; and you will give orders that houses be built, strengthening them in some manner so that if need be they can be defended if the Indians of the country become troublesome; and the place that you shall thus settle you shall call and entitle *Castillo de Austria*, and the church which shall be built is to be dedicated to Saint Philip, in memory of the house and name of His Majesty, in whose eventful times is being made, and is to be made, the settlement of that territory.

Furthermore, as soon as you have made the settlement you will seek for peace and friendship with the neighboring Indians, doing them good works and giving them things in barter which are regarded as precious among them, for which purpose you will carry a quantity thereof; and you will seek to have them settle of their own will near in the neighborhood, defending them and protecting them against those who may desire to do them harm, subjecting them to good government and endeavoring to have them give up their vices and sins, reducing and converting them to accept voluntarily our Holy Catholic Faith and Christian religion; and if there be any who prevent the natives from hearing the Gospel and being converted, or who maltreat those who shall do it, you shall provide for their punishment so that there shall be no one to act thus; and if they are masters you shall give orders that there be taken from them the authority, command and dominion under which such acts are done.

Item: You will give orders and arrange how the Indians may be persuaded of their own will to come to the knowledge of

Our Holy Catholic Faith and leave the idolatries in which they are so rooted, and to come to the subjection and recognition of His Majesty as their sovereign master!

Item: You will give orders as to how the Spaniards who newly settle there are to be ruled and administered in peace and quietness, without harm or injury to anyone, and that justice may be done by my deputies and the *Alguaziles* and notaries and aldermen, as you shall see is most desirable; and you will require those who have charge to give an account of the excesses that are committed among the people and also among the Indians.

Having constructed their dwellings and the buildings needed for their defense and the protection of their cattle, you will arrange for the planting of what is necessary for their sustenance and of the others who may desire to come to dwell and reside near them.

The foregoing having been done, you shall order that commerce and traffic shall be entered into with your neighbors; providing them with things of which they have need and securing from them the things which you may lack.

You will send friars and other good persons who shall preach and persuade them to receive our Holy Religion; and if they are separated you will arrange to collect them together in villages so that they may live together where they can the better be taught.

To the persons whom you shall send to inspect the country, you will recommend that they shall always look out for places and suitable locations for making new settlements.

The dwellings having been built and their plantings having been made, you will arrange for the cultivation of the land, the increase of new plants of vines and trees that fruit may be had for their sustenance and benefit, and that mines be explored and other things done by which they may be benefited.

Item: If the natives shall attempt to prevent the said settlement, they are to be given to understand that there is no desire in settling there to do them any harm or injury, nor to take away their property, but to be friendly with them and teach them to live in a well-ordered manner, in the knowledge of God, and to show them the gospel of Jesus Christ by which they may be saved; and this effort being made and this warning given, which is to be done three times at such intervals as shall appear proper to the

person by you appointed, taking the opinion of the friars who shall go to the said settlement, and by word of mouth and by the statements and declarations of the said friars, and if, notwithstanding the aforesaid, they are unwilling to permit the said settlement, the settlers shall arrange to make it, defending themselves against the natives, without doing them any more harm than is necessary to their own defense and in order to make the said settlement.

Furthermore: After the said settlement is established, you shall arrange so that the residents and the friars who are there shall seek to trade and communicate with the natives and make friends of them and give them to understand the intentions aforesaid.

And if, with good works and persuasions, the natives living near the said settlement are made friends, so that they allow the friars to teach them the gospel of Christ, you will arrange so that they may do so and convert them and draw them to the faith, and secure from them acknowledgement of His Majesty as their sovereign master and our master.

You shall provide so that in everything, and by all persons, the ordinances of His Majesty shall be observed, which are made for good government of these regions, without there being any excess committed therein.

Item: No person may take Indians from that country to this, nor elsewhere although the Indians themselves sell them, except three or four for interpreters, and these shall come and go as free persons; and you are notified that from the said natives nothing is to be taken by force, but only by bartering with them, they giving it of their own will; nor shall you nor any person in your company take any Indian men or Indian women from this Province of *Nicaragua*, unless they are willing to go.

Furthermore: You are not to enter into the said territory as if you were making war, but as an explorer and settler, showing the inhabitants good treatment, so that it being seen what is done they may be converted to our Holy Catholic Faith.

Furthermore: You will give orders as to how gold mines are to be explored in the territory, for it is reported there are such mines; and also as to what shall be taken therefrom, and from the graves that are found and from the dead bodies which in

that country the natives are in the habit of decking with gold, and all the rest that may there be, because of all of this one-fifth belongs to His Majesty, and you shall designate one or two persons as Royal Officers, who are well recommended and trustworthy, to take an account of the Royal fifths, with the day, and month and year, so that His Majesty, without any fraud or concealment whatever, made be paid the same; and you are notified that you are in no way to allow nor consent that any Indians work in the mines, neither as slaves nor as laborers, unless they are given the best possible treatment and the doctrine and conversion of our Holy Faith.

Furthermore: Since, according to the character of the territory and the reports that have been made thereof, it is not desirable to enter the interior after the port is settled, unless there are more Spaniards than the fifty which, by the will of God, you are now to take there, you shall not consent that the interior be entered nor explored until there are at least seventy men together, well provided, or until I shall have arrived with the men by land, for neither the distance from sea to sea, nor the delay, can be very great, and the help of more men who are to be sent to you by the *Desaguadero* and from *Nombre de Dios* will not be long delayed.

Furthermore: You are to seek with all diligence to ascertain from the Indians the place and locality where I shall be so that you may be able to advise me of the matters, and I will take the same care; and in this way, Our Lord guiding us, we shall soon be able to get together.

Furthermore: Inasmuch as it may be that in the said territory, or in the neighborhood, there may have entered, or shall enter hereafter, some Captain, with men provided by His Majesty or by his Royal Audiencias, or by some Governor or judge who claims to provide therefor, or that the Captains or men shall have entered by their own authority, when you shall have notice thereof you shall not go forward or meet with them without first giving notice to His Majesty, or to his Royal Audiencia of the *Confines*, in order that what is most advantageous and just may be done, under pain of death and the loss of all his goods to any one who shall act contrary hereto, so that there may be avoided

the evils and the injuries that experience has shown occur in those regions when different Captains and men meet each claiming that the other should be left in possession of the territory.

Item: You shall have great care to advise His Majesty, particularly and generally, as also his very high and Royal Council, of the Indies, and his Royal Audiencia of the *Confines*, of everything you shall discover and of the people you shall find, and what the territory is and the character of it; and you shall make a long and full narration of everything in order that there may be provided what is most desirable; and you will also advise of everything that seems desirable for the good government and settlement of that country.

Furthermore: Since it may happen that, from *Nombre de Dios* or *Panama*, or from other places, there may come to that territory some Protestants, or those belonging to the Moorish caste, or Jews, who shall desire to live according to their sect and with their own ceremonies, and it is desirable that, where our holy Catholic Faith is newly planted, there may be great vigilance, in order that no heresy be implanted nor that there be any therein, and that if there be any, that it be rooted out and done away with, you shall take great care and inform yourself concerning the same; and finding any guilty, you shall punish them exemplarily, for which you have authority from the Reverend Bishop of this Province and from his vicar-general, dean and chapter; and you shall do the same if you find any books of such reprobates, a memorandum of which you are to take and keep in your possession.

For all of which, as stated, and for every part and thing thereof and thereto annexed and dependent, in the name of His Majesty, I commit the same to you and give to you full power, as I have it from His Majesty and as is by law required therein.

Dated in the city of *León*, of the Province of *Nicaragua*, on the twenty-second day of the month of September, one thousand five hundred and sixty years.

Witnesses who were present at what is stated:—Diego Martínez and Antonio de Pereira and Diego Gaitán, residents and being in the said city; and the said grantor signed the foregoing in the registry of this letter, and I the undersigned notary certify that he is the same grantor and that it was read to him.

I, Pedro de Padilla, Notary of His Majesty and his Notary Public, in his house and court and in all his Kingdoms and lordships, certify that I caused it to be written and it was transcribed as it was done before me, and thereto I append my signature in testimony of the truth.

(Flourish.)

PEDRO DE PADILLA,
Notary of His Majesty.

Royal Cédula to the Audiencia of the Confines, Entrusting to the Licentiate Cavallón that Which was Committed to the Licentiate Ortiz de Elgueta. Doc. 42

TOLEDO, February 5, 1561,¹

THE KING.

To the President and Judges of our Royal Audiencia of the *Confines*, who reside in the city of *Santiago*, Province of *Guatemala*:

Know ye, that We had appointed the Licentiate Ortiz as our *Alcalde Mayor* of the Province of *Nicaragua* and had charged him with the settlement of certain territory near said province, and other things touching our Service, and for all this had commanded that there be given to him *provisiones*, *cédulas* and our instructions, of which you will find herewith annexed the originals as they were given to the said Licentiate; and because, for certain reasons which concern our service, it is not desirable that the said Licentiate Ortiz attend to the foregoing, We have consented that the Licentiate Cavallón may go forward therewith, being satisfied with his person, and have ordered that if he should not wish to accept it a Judge of the Audiencia may go. And in case none of the Judges may be willing to go, that you shall appoint a person who is suitable, that he may go as aforesaid: and We therefore command you that, immediately upon the receipt hereof, you shall speak to the said Licentiate Cavallón and ascertain from him whether he may be willing to go and attend to the foregoing. And if he accepts, you will deliver to him the

¹ Archives of the Indies. Shelf 100. Compartment 1. Bundle 16. Fernández, IV, p. 186.

despatch that was issued for the said Licentiate, with the *cédula* annexed, in order that the *provisiones*, *cédulas* and instructions that were issued to the said Licentiate Ortiz may be complied with by him, or by the person who shall be appointed; and if the said Licentiate Cavallón shall be excused from going, and there shall be in your Audiencia any of your Judges disengaged, who can go, you shall appoint him therefor and give order that he go, and if not you shall appoint another person who may be suitable, and with whom you are satisfied, in order that he may go thither: and to the one who may thus go you shall give order to depart promptly and to do and fulfill all that the said Licentiate Ortiz would have had to do by virtue of the commissions, powers and instructions and *cédulas* that We ordered to be given to him: and you will advise us of the person who shall go.

From Toledo, February 5, 1561.

I, THE KING.

Countersigned by Eraso. Signed by the aforesaid persons.

Doc. 43 **Royal Cédula. Appointment of Francisco Vázquez as Governor and Captain General of the Province of Veragua to Succeed His Father.**

ARANJUEZ, March 4, 1561.¹

THE KING.

Francisco Vázquez: having had regard to the manner in which the Captain Francisco Vázquez, your father, served us in the settlement of that Province of *Veragua*, and to the experience which you have in such matters, since you were with him in the settlement thereof, We have conferred upon you the Government and the Captaincy-general of that province, as you will observe by the *provisión* which with these presents We have caused to be sent to you.

We recommend and command you to undertake the duties of that position, to do in the exercise of your functions what We

¹ General Archives of the Indies. Audiencia of Panama. Registers of officials and persons. Veragua. *Capitulaciones*. Royal Orders, etc., relating to its discovery and settlement. 1534 to 1628. Shelf 109. Compartment 5. Bundle 17. Peralta, *Jur. Ter.*, p. 139.

expect of you, and to proceed in the settlement of that province, as your father did, with the utmost care and the greatest diligence, in the manner in which We have indicated in relation to that subject.

And inasmuch as one of the ends which We have the most in view and which We especially desire to attain is the humane treatment of the natives of those countries and their instruction and conversion to Our Holy Catholic Faith, We command you, as our Royal will, that you take the greatest care for the good treatment of the natives of that province, for their instruction and for their conversion, and to afford no ground for the least wrong to be done to them, for in nothing can you render me better service than in this; and on your side, in everything that tends to that end, you will conform in every way and by all means to the new laws issued by us with a view to the good administration of those countries and the good treatment of their aborigines, as well as the instructions, *provisiones* and *cédulas* which we have given in favor of the natives.

We directed orders to be given to our Governor and to the officers of the Province of *Tierra Firme* to see to it that in that province some good mines be appropriated for us among those of gold or of silver which have been discovered or which may be discovered, and We command that those which shall be thus indicated shall be worked for us. Later We learned, by a report which was sent to us by Bernardino de Román, our collector in the Province of *Peru*, who visited that country (*Veragua*) under a commission from the Viceroy President and the Judge of our Royal Audiencia, which sits in the city of *Los Reyes*, that he located for us some mines in that province, and that he gave orders for their exploitation, and it is to be presumed that our said Governor and the officials will have arranged for what was previously provided for; and since it is our Royal will that great care should be taken in the working of the mines which may thus be designated for us, so that the product thereof may be helpful to us in our great need, We command you to make regulations as to how these mines appropriated for us and those which you shall designate, shall be carried on, in order that it may be done in the least expensive manner and most profitably for us, doing in this what a good vassal and servitor ought to do;

and you will take the greatest care possible in the administration of our finances, and you will endeavor to increase them and that the largest profit may be drawn therefrom, as we expect from your loyalty and good disposition; and you will report regularly what is taken from the mines; not only for us but for private individuals; and you will take measures that there shall be sent to us without delay what belongs to us out of our Royal rights in the said mines.

Aranjuez, the fourth of March, 1561.

I, THE KING.

Countersigned by Eraso; signed by Don Juan, Sarmiento, Vázquez, Castro, Jaraba.

Doc. 44 Appointment of the Licentiate Juan Cavallón as Alcalde Mayor of the Province of New Cartago and Costa Rica (Provisión of the Audiencia of Guatemala).

SANTIAGO DE GUATEMALA, May 17, 1561,¹

DON PHILIP, by the grace of God, King of Castile, of León of Aragón, of the two Sicilies, of Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Majorca, of Seville, of Sardinia, of Córdoba, of Corsica, of Murcia, of Jaén, of the Algarbes, of Algesiras, of Gibraltar, of the Canary Islands, of the Indies, Islands and Mainland of the Ocean Sea, Count of Barcelona, Lord of Vizcaya and of Molina, Duke of Athens and of Neopatria, Count of Ruisellón and of Sardinia, Marquis of Oristán and of Gociano, Archduke of Austria, Duke of Burgundy and of Brabant and Milan, Count of Flanders and of Tyrol, etc.

Whereas, by a *provisión* issued by our Audiencia and Royal Chancellery of the *Confines*, We charged and commanded the Licentiate Juan de Cavallón, who was at that time our *Alcalde mayor* in the Province of *Nicaragua*, that he should go and explore, settle and pacify the natives of *Costa Rica* and of *New Cartago*, bringing them by teaching and peaceful means to a knowledge of our Lord, so that they might recognize and yield

¹ General Archives of the Indies; Patronato. Shelf 2. Compartment 2. Bundle 1-16. No. 33. Fernández, IV, p. 194.

the dominion that is due to us as their King and Natural Master ;

And whereas, We are informed that the said Licentiate Cavallón, moved by zeal for the service of God, Our Lord and ourselves in putting into execution the foregoing, departed upon the said expedition, taking with him the men that he was able to collect together ; and that entering into the said territory he settled the city of *Castillo de Garci Muñoz* and the port of *Landecho*, which is on the South Sea, from whence he began to peacefully subject many of the chiefs and natives of said territory ;— and that from the aforesaid he has received news that beyond, *as far as the limits and jurisdiction of the city of Natá, of the Kingdom of Tierra Firme, called Castilla del Oro, the length of the land to the borders of the Dukedom of Veragua, and from the South Sea to the North Sea, as far as the Desaguadero inclusive*, there are a great number of natives who have never heard of God, Our Lord, and who are still in their heathenism ;—

And that, animated by such zeal, and in order to fulfill what he has been by us commanded to do, he desires to go to conquer and bring them to peace and to settle and to found in the said land and the ports that may be discovered therein, both on the South Sea as well as that of the North, cities, towns and villages, in order that the said land may be subdued, with Christian Spaniards therein who will hold it settled in our name, and to bring the said natives to the said knowledge of Our Lord and instructed in evangelical doctrines and in habits of peace and justice ;—

And taking heed to the aforesaid, and that it is necessary to appoint a person who may be our *Alcalde mayor* of the said territory, holding the civil and criminal jurisdiction, who may provide for and do the things that may be needful to be done and provided therein for the welfare, progress, policing and conversion of the said natives and of the other persons who may reside in the said territory ; and considering that you, the said Licentiate Juan de Cavallón, have served us and that you will serve us from now forward, and that as to your knowledge and person, your capability and fidelity you are such a person as is required for the said duty ;—

Therefore, all this having been duly considered by the Licentiate Juan Martínez de Landecho, President of our Royal Chancellery of the *Confines*, to whom by special authority is committed

the duty of providing for the matters relating to the administration of the district thereof, it was by him resolved that We should issue this our letter to you for the reasons stated, and We have deemed it proper to do so, by which, for such time as it may be our will and pleasure or that of our said Governor, and until by us or by him it may be otherwise provided and commanded, We appoint you, the said Licentiate Cavallón as our *Alcalde mayor* of all the said territory of which mention has been made, which is understood to extend from the boundaries of the village of *Nicoya*, of the said Province of *Nicaragua*, forward, and embracing the towns, cities, ports and localities which you have up to this time discovered and settled and which you may henceforth discover, and settle, in proceeding upon the expedition which you have begun and which you shall carry out, in order that as such *Alcalde mayor* you may hold the scales of our justice throughout all of the said territory;—

And We charge you that you are to take special care in those matters which relate to the service of God, our Lord and ourselves, and to the welfare, increase and conversion of said natives, securing their peaceful subjection so that they may be taught and instructed in the things of our Holy Catholic Faith, and that they are protected and defended and are not wronged or ill-treated;—

And you shall settle and establish, in the regions and places throughout the said territory, that have been and are to be explored, and in the ports that may be opened therein, as may seem to you suitable and necessary, both on the South Sea and that of the North, cities, towns and places in which you are to appoint such *alcaldes* and aldermen, and chief and deputy *alguaziles* (sheriffs), as may be needful for the proper administration of the said country;

And you will take cognizance of the suits and causes, and matters, both civil and criminal, that are now pending or that may hereafter arise in the said territory, both officially and at the demand of the parties, and you shall exercise both civil and criminal jurisdiction to hear, judge and decide them by your orders and definitive sentences, not only those which are begun and argued before you, but also those which come by appeal from the municipal councils and inferior judges, relating both to Spaniards and

to natives, as well as to other private persons, of whatever condition or quality they may be; and you will grant appeals that may be interposed before you in the case or cases where they should be allowed, for hearing before us or our said Audiencia; and you will end the causes definitely in the matters brought before you on appeal, in conformity with the Royal Ordinance relating thereto, using and exercising the said authority as our *Alcalde mayor* in all the other matters and cases annexed to or concerning the same, as they are used and exercised by the other *Alcaldes mayores* who have been appointed by our said Audiencia;

And you may appoint, while in charge of the said office, as your lieutenants, one, two or more, in the regions of the said territory, where it shall appear to you desirable and necessary, who are to exercise civil and criminal jurisdiction in that which relates to the said offices of which they are deputies; and you may install and discharge any of them whom you may desire or may think proper;—

And by this our letter, We command all our Councils, Justices and municipal boards in the said territory, that now are or may hereafter be there, and all the Spaniards, inhabitants, dwellers, residents and natives, and all other private persons of whatever condition or quality they may be, and to each one of them, within your jurisdiction, that under oath and with the necessary formalities they shall receive, respect and obey you as such *Alcalde mayor*, and also your said deputies, and give and cause to be given to you all the help and assistance that may be necessary for the execution and administration of our justice and the other matters contained in this our letter, without any excuse or delay whatever; and that they shall allow you freely to use and exercise said office, under the penalties that may be imposed upon them by you in our behalf, which by this present We do impose and deem as imposed upon them, and consider them as condemned if they act contrary hereto; which penalties you may execute upon the persons or property of those who are guilty or who shall be disobedient;—

And We command that you shall report to our said Governor and our said Audiencia as to what you do in fulfillment of the foregoing; and you will take special care that collection be made of the *maravedís* and *pesos* of gold which belong to us as our

fifths, and the other things of gold and silver, as well as what is taken from the mines and discovered in the said territory, and that there be careful record and collection made thereof, informing also our said Governor and our said Audiencia of the same, and of what ought to be done and provided for the service of God, Our Lord, and ourselves, the welfare and progress of the said territory and the inhabitants and natives thereof, in order that we may command that to be done and provided which is most desirable, in order that We shall be best served.

And for all that has been stated, and for each and every part thereof, and for the appointment of clerks, both of your own tribunal and those of your deputies, and your *Alcalde ordinario* and for all other matters that may be necessary, by this our letter We give you full power, with its incidents and dependencies, and the things annexed and relating thereto.

And by reason of the labor and cost that you will have expended in the foregoing, there will be made to you a donation and grant, out of any *maravedís* and *pesos* of gold and other things that belong to us in the said territory, in accordance with the quality of your person and services, or what it shall be our pleasure to bestow upon you; and neither you nor any one else shall do otherwise in any manner, under penalty of our disfavor and a fine of five thousand *pesos*, in gold, for our Chamber and treasury, for everyone who acts in contravention thereto.

Given, in the city of *Santiago de Guatemala*, on the seventeenth day of the month of May, 1561.

THE LICENTiate LANDECHO.

I, Luis Sánchez, notary of the Chamber and of the Audiencia and Royal Chancellery of the *Confines*, and government thereof, for His Majesty, have caused this to be written by his command, with the accord of his President and Governor.

Chancellor, PEDRO DE BISCARRA.

Registered:

SEBASTIAN DE AGUILAR.

Royal Cédulas, Concerning the Founding of the Town of Castillo de Austria, at the Port of San Jerónimo (Almirante Bay). Doc. 45

MADRID, August 4, 1561,¹

THE KING.

The Council. Officers of Justice, Aldermen, Knights, Esquires, Officials and other good people of the Town of *Castillo de Austria*:

I saw your letter of XXI November of the year 1560 last past, in which you made a report of the settlement you had made of the town at the port of *San Jerónimo*, which is in the Province of *Cartago*, and of your expectation from the news you had of the land of discovering where there were great riches, and of the hardships you have had and still have; and also how you had made a leader of Juan de Estrada Rávago, a priest, in place of Licentiate Cavallón, who is in charge of the Government;—and I have had much satisfaction with the exploration and settlement so far made, and with the expectation you have that this land will be found to be rich, and therefore I thank you and acknowledge as service the hardships that you have suffered and the good order which, it appears, you have preserved in everything; and I charge you that you shall continue that which you have begun, that you shall so provide that this settlement shall be improved and that from it the neighboring regions shall be explored; that the Indians thereof shall be well treated and instructed in the matters relating to our Holy Catholic faith, and that We shall be benefited in that it shall be well and justly done, and We will command your services to be kept in mind in order that you may obtain the reward to which you may be entitled.

1. In regard to what you write, praying that We shall provide you, as Pastor and Prelate, the said Juan de Estrada Rávago, a priest, as being a well deserving person and one suitable for the said station, it now seems too early to provide a prelate in that country, as its settlement has but just begun, and the population is so small. Hereafter, when the time comes for it, I will bear in

¹ *Archives of the Indies*. Audiencia of Panama. Registers. *Veragua*. Capitulaciones, Royal Orders, etc. 1534-1628. Peralta, C. R. *Nic. y Pan.*, p. 200.

mind your prayer and how much the said Juan de Estrada Rávago has served and is serving, in order that he may receive such favor as may be just and he shall deserve.

From Madrid, August fourth, 1561.

I, THE KING.

Countersigned by Eraso. Signed by Vázquez, Castro, Jarava, Valderrama, Gómez Çapata.

MADRID, August 4, 1561.

THE KING.

Doc. 46

Juan de Estrada Rávago: I have seen your letter of XXI November of the past year, 1560, dated at *Castillo de Austria*, which is in the Province of *Cartago* and *Costa Rica*, and by it, and by the account sent to us, and by what the town wrote to us, We understand that you labored in the exploration and settlement thereof; and We learn how the Licentiate Cavallón, by commission from our President and Judges of the Royal Audiencia of the *Confines* sent you to make the said exploration, and how you went by sea and he by land with a great number of people and cattle. There is great satisfaction with what you have done, as, according to your account, I deem it to be very successful, and I thank you and keep in mind the work that you have done. I hope through Our Lord that, having associated yourself with the Licentiate Cavallón the land will be explored and that We may know the secrets of it, and that the natives thereof will greatly profit by their instruction and conversion to our Holy Catholic Faith, because with your ardent zeal and christianity you will devote to it the care that is needful. Therefore, I charge you that you continue what you have begun, and you will so provide that this settlement shall go forward and that We may be benefited therein as We should well and justly be;—and you especially as a priest and ecclesiastical person, will take great care of the Indians and of their good treatment and instruction in the matters of our Holy Catholic faith, and you shall constantly inform us of what is being done there and of what is required to be provided therefor. And of your services, the labor that you have performed and the labors that you shall do, I will command that they shall be kept in mind, so that you may receive reward,

when opportunity offers, as shall be just and merited by you.

From Madrid, the 4th of August, 1561.

I, THE KING.

Countersigned by Eraso. Signed by the aforesaid.

MADRID, August 4, 1561.

THE KING.

To the Licentiate Juan Cavallón, our Fiscal of the Royal Audiencia of the *Confines*: Doc. 47

By letters of Juan de Estrada Rávago and from the town of *Castillo de Austria*, I have learned how our President and the said Royal Audiencia of the *Confines* designated you as our *Alcalde mayor* of the Province of *Nicaragua* and charged you that you should explore and settle that territory:—that you arranged between yourself and the said Juan de Estrada Rávago to go and undertake it, and so you agreed together and arranged all that was necessary therefor; that you arranged that the said Juan de Estrada Rávago should go by sea and you by land, and so it was that the said Juan de Estrada, with sixty men departed and disembarked at the port of *San Jerónimo*, which is in the province of *Cartago* and *Costa Rica*, where it appears that he settled the said town of *Castillo de Austria*, and that there he awaited you with the people that you took by land.

I have been pleased to learn what has been done in this exploration and settlement, because it appears to have been successful, according to the report that has been sent to us by the said Juan de Estrada Rávago;—and I deem it assured that, when you shall have joined him, that land will be explored and We shall know its secrets and the natives will be led into peaceful ways and a knowledge of our Holy Catholic Faith. And, therefore, I charge you, since you are entrusted with that exploration and settlement, that you shall do therein that which is for the service of God, Our Lord, and ourselves, keeping in all things the order that is given by us concerning new settlements and discoveries. You shall so provide that the natives be well treated and that We may be profited in that which you shall well and justly do.

And when that land is explored and the settlements are made therein that you deem suitable, leaving it in order and under the administration that you shall see fit, you may return at such time

as you think proper to reside in the Audiencia aforesaid, in order to serve therein as the *Fiscal*, which office We have newly provided. And what you have done and shall do, as well in the exploration and settlement, as in the other things wherein you may serve us, We will command to be kept in mind, in order that We may grant you reward as opportunity shall present.

From Madrid, the 4th of August, 1561.

I, THE KING.

Countersigned by Eraso; signed by the aforesaid.

Doc. 48

The King Approves the Commission Given to the Licentiate Juan Cavallón by the Audiencia of the Confines, and Forbids the Governor of Tierra Firme to Intervene in the Conquest of Costa Rica.

MADRID, August 9, 1561,¹

THE KING.

Don Rafael Figuerola, our Governor of the Province of *Tierra Firme*, called *Castilla del Oro*:

I saw your letter of the twenty-fourth of February of this year, written in the city of *Natá*, in which you gave an account of some things of which it seemed to you We ought to be informed; and since in some of them what seemed to be required has already been done, there is nothing left to say but that the care you have shown in informing us therein will be kept in mind as a service.

Regarding your statement that, by order of the Count of Nieva, our Viceroy of the Provinces of *Peru*, you were going to have the government of the Province of *Veragua* and that you had been informed that the Audiencia of *Guatemala* had commissioned one Licentiate Cavallón to make the entry into *Costa Rica*, which borders upon the said Province of *Veragua*; and that the said entry was entrusted to you by the said Viceroy, and that he wrote to the President and Judges of the said Audiencia of *Guatemala* that they should not provide any other person, as you must have understood, as soon as We knew of the death of Francisco Vázquez, whom We had designated for the government of

¹ General Archives of the Indies: Shelf 100. Compartment 1. Bundle 8. Fernández, IV, p. 210.

the said Province of *Veragua*, We appointed for the said government Francisco Vázquez, his son, and We commanded his appointment be sent to him; and, therefore, he is told to hold the said government, and not you;

And, also, We have approved and held to be good the said commission that was given by the said Audiencia of the *Confines* to the said Licentiate Cavallón, in order to make the exploration of the Province of *Cartago*, and *Costa Rica*, and according thereto you are not to interfere in the exploration and settlement of the said territory;

Therefore, I command you that, as soon as you shall receive this, you leave the government of the said Province of *Veragua* to the said Francisco Vázquez, and that you do not interfere to explore and settle the said Provinces of *Cartago* and *Costa Rica*, but leave it to be done by the said Licentiate Cavallón and the men whom he shall send in accordance with what he has been ordered to do, and if you shall have made any discovery or settlement, you shall leave it in the state and condition it may be, without doing more therein; and this you shall do and comply with under the penalties imposed upon persons who do not obey the commands of their King and natural Lord.

From Madrid, the ninth of August, one thousand five hundred and sixty-one.

I, THE KING.

Countersigned by Eraso; signed by Doctor Vázquez, Licentiate Castro, Jaraba, Valderrama, Don Gómez Çapata.

Appointment of Juan Vázquez de Coronado to the Office of Alcalde Mayor, of the Province of New Cartago and Costa Rica.

Doc. 49

SANTIAGO DE GUATEMALA, April 2, 1562,¹

DON PHILIP, by the Grace of God, King of Castile, etc., to you, Juan Vázquez de Coronado, our *Alcalde mayor* of the Province of *Nicaragua*, health and favor;—

¹ Archives of the Indies. Audiencia of Panama. Registered. *Veragua*. Capitulations. Royal orders, etc. 1534-1628. Peralta, *C. R., Nic. y Pan.*, p. 204.

Know ye, and know ye well, that by our *provisión*, issued by our Audiencia and Royal Chancellery of the *Confines*, signed by the Licentiate Juan Martínez de Landecho, President thereof, and our Governor in all its district, We appointed for our *Alcalde mayor* of the provinces of *New Cartago* and *Costa Rica* and of the cities, towns and ports that were settled therein, the Licentiate Juan de Cavallón, to whom at the present time there has been granted the office of *Fiscal* of our said Audiencia, the duties of which he is at present discharging,—since, at the present time, for the service of God, Our Lord, and ourself, the execution of our justice and the welfare, increase, policing and conversion of the natives of the said provinces of *New Cartago* and *Costa Rica*, it is desirable to appoint a person who may fill the office of *Alcalde mayor* in said provinces, and, considering the foregoing, and regarding you, the said Juan Vázquez de Coronado, as such person as is desirable therefor, as to person, quality and merits, these having been seen by our said President and Governor, it was agreed that We should command our letter to issue to you for the purpose aforesaid, and We approve it,—by which letter, during our pleasure or that of the said Governor, and until by us or by him it shall be otherwise provided and directed, We appoint you as our *Alcalde mayor* of the said provinces of *New Cartago* and *Costa Rica*, and of the cities, towns, places and ports which are now settled, as well as of all the others which may hereafter be founded and settled, and of all that over which the said Licentiate Juan de Cavallón was given jurisdiction.

As such *Alcalde mayor*, you shall hold, and do hold, the administration of our justice in all of said jurisdiction and hear all the suits, causes and affairs, civil and criminal, presented or to be presented, touching the Spaniards as well as the Indians and other private persons, both officially and upon petition of the parties, in the first instance and upon appeal; you shall hear, decide and determine cases by your definitive orders and judgments, granting appeals that may be interposed before you to be heard before us and our said Audiencia of the *Confines*, in all the matters and cases where they are legally proper, and concluding causes upon appeal in conformity with the ordinances relating thereto.

And We charge you that you shall have charge and care of the

matters touching the service of God, Our Lord, and ourselves, the welfare, conversion, policing, instruction and conversion of the natives of the said provinces, and that the natives who have not come to a knowledge of Our Lord shall be brought by all possible way to such knowledge and to peace, so that they recognize us as their King and Natural Master;

And that there shall be settled such cities, towns and places as shall be approved by you, at convenient places and localities in said provinces, in which you shall appoint and designate *alcaldes*, aldermen, and chief and subordinate *alguaziles*, and other officers of the State, executing in the foregoing and other matters the commissions and instructions which were given by our said Governor to the said Licentiate Cavallón, as contained in each and every one of the same, as if they had been addressed to you; and if it be necessary, by this, our letter We confirm the same to you and give them anew, so that you shall be able to use, and shall use, the office of our *Alcalde mayor* of the said provinces in all other matters and causes connected therewith or relating thereto, and for the better and more complete discharge thereof by you and your deputies, it is our will and pleasure that you shall install them in all places or localities you deem desirable in said provinces, discharging them and appointing others.

And thus you shall use and do use, the office of our *Alcalde mayor* of the said Province of *Nicaragua*, for the period mentioned, keeping the commissions We have given you concerning it and in conformity therewith, and during your absence, (for you will have to go to the said Provinces of *Cartago* and *Costa Rica* to take charge of the foregoing matters) you may leave and appoint in said Province of *Nicaragua* as many as two deputies, whom you may discharge and remove and appoint others, whether you are in the jurisdiction of said province or outside of it, enjoying the same salary as designated for our *Alcalde mayor* of said Province of *Nicaragua*.

And We command the Cabildos, officers of justice, aldermen and other judges, and the Royal officials, Knights, Squires, and other good men, and private individuals, whether Spaniards or natives or others, whatever their station or quality may be, of all the cities, towns, places and ports, as well as the Province of *New Cartago* and *Costa Rica*, and other places and localities

under your jurisdiction, as well as in the Province of *Nicaragua*, and to each one of them in your jurisdiction, that they at once receive and accept you as our *Alcalde mayor*, as is directed, and no other person whatever, and that the deputies already located in said places under you accept and obey you, giving to you all the help and assistance that may be necessary for the discharge of said office and the execution thereof; provided that your said deputies thus appointed by you in said Province of *Nicaragua* may give legal and sufficient bonds, and undertake to keep residence during the time they may use or discharge their offices, and be lawfully therein and pay the judgment or sentence of any court, and to the foregoing or any part thereof they shall not place or consent to any obstruction or contradiction.

Therefore, by these presents, We receive you and hold you as received in the said offices of our *Alcalde mayor* of the said provinces of *Nicaragua*, *New Cartago* and *Costa Rica*, and of each one of them, and of their jurisdiction, to use and exercise the same in conformity with the *provisiones* which have been given you up to this time, and the instructions to you addressed, as well as those given to the said Licentiate Juan de Cavallón, during all the time that it shall be our pleasure and will, or that of our said Governor,—and until it is by us or by him provided and commanded otherwise.

And for the appointment of said chief and subordinate *alguaziles* and clerks of your administration, and to hold the scales of our justice, and to do and fulfill all the other things which are proper for the service of God, Our Lord, and ourself, and the execution thereof, by this letter We give to you full power, with its incidents and dependencies, its annexes and connexes, and neither the one nor the other shall in any wise fail to be done, under penalty of our disfavor and of a fine of four thousand *pesos* in gold for our chamber and treasury, for each one who shall act contrary thereto.

Done in the city of *Santiago de Guatemala* on the second day of the month of April, 1562.

THE LICENTiate LANDECHO.

I, Luis Sánchez, notary of the Chamber of the Audiencia and Royal Chancellery of the *Confines*, and Government thereof,

for His Majesty, have written this by its command with the accord of its President and Governor.

JUAN DE ROJAS, Chancellor.

Registered:

JUAN DE ARGUIJO.

Royal Cédula, Transferring the Audiencia of Guatemala to Panama. Doc. 50

ZARAGOZA, September 8, 1563.¹

DON FELIPE, by the Grace of God, etc.

Whereas, We, deeming it to be proper for our service, have decided to order that the Royal Audiencia which resides in the City of *Santiago*, of the Province of *Guatemala*, be changed and transferred to the City of *Panama*, which is in the Province of *Tierra Firme*, and have ordered that our President and the Judges of the said Audiencia go at once to live, and do live, in the said City of *Panama*, and discharge and exercise in the said Royal Audiencia thereof their said offices within the bounds which shall be by us indicated to them; and it is our will that the said Audiencia may have jurisdiction over the following: *Nombre de Dios* and its territory, and the City of *Natá* and that belonging to it, and the *Government of Veragua*;—and upon the South Sea, the upper coast (easterly) in the direction of *Peru* as far as the port of *Buena Ventura*, exclusively, and the lower coast (westerly) towards *Nicaragua*, as far as the Bay of *Fonseca*, exclusively; and in the interior all the Province of *Nicaragua* and of *Honduras*, as far as the place called *Xerez de la Frontera*, inclusive,² and on the North Sea as far as the River of the *Ula*,³ exclusive; in such manner that there must be traced a line from the Bay of *Fonseca* as far as the River *Ula*, and from that line towards *Panama* shall be the district of the said Audiencia of *Panama*, as well by land as by the coasts of the North and of the South;

¹ *Ubi supra*. Audiencia of Panama. *Registro de partes*. Royal Cédulas to the authorities and private individuals of its district (*Reales cédulas á los autoridades y particulares de su distrito*). 1551-1557. Peralta, C. R., *Nic. y Pan.*, p. 296.

² Now Choluteca.

³ Now Ulúa River.

and from the said line towards *New Spain*, including the town of *Gracias á Dios* and *Sant Gil de Buenavista*, of the Province of *Honduras*, shall be the district of the said Royal Audiencia, as well the territory inland as the coasts of the South Sea and the North Sea; and from the said City of *Nombre de Dios*, along the coast, towards *Cartagena*, must also be taken for the district of said Audiencia of *Panama*, as far as the river of *Darién*, exclusive. And in order that the things relating to our service, the administration of our justice and good government of the said countries and provinces may be done as they ought and should be for the general good of the said territories—it having been considered by those of the Council of the Indies and in consultation with me, the King—it was decided that We ought to command this our letter to be given for this purpose and We have thought it well to do so: Therefore, We command all our Governors and our Judges and Justices whatever of the said Province of *Tierra Firme*, and of the other provinces, territories and towns hereinabove mentioned, to whom this our letter may be shown, or its transcript signed by a public notary, or of which you may know in any other manner whatever, and to each one and every one of you, in your places and jurisdictions, that you obey, respect, accomplish and execute and that you cause to be accomplished and executed in everything the orders which shall be given to you by the said, our Audiencia of *Panama*, in all and by all, according and in the manner it may be commanded you thereby; and you shall give and cause to be given to it all the favor and assistance that it shall require of you and that it is necessary for it to have, without making any excuse or delay whatever, nor interposing any appeal or petition, nor any other impediments, under the penalties which it shall impose or direct to be imposed upon you, which penalties We, by these presents, impose and We hold imposed upon you, and We give to our said Audiencia power and authority to execute them against those who shall be rebellious or disobedient, and against their property; and since it may be that by some hindrance, or by sickness or other causes, it may happen that our President and Judges may not be able to arrive together at the said City of *Panama*, and that those who may arrive before the others may have some impediment put in the use and exercise of their offices, saying that

they cannot exercise them unless all are together, which would result in troubles and differences, therefore, by these presents, We desire and command, and We give power and authority, to our said President and Judges in order that whoever or whichever of them shall first arrive in the said City of *Panama* before the others, notwithstanding they do not all arrive together, those of them that shall arrive, until all arrive and are met together, shall be able to form, and do form, the said Audiencia, and shall have authority to hear, dispatch, and determine the causes, proceedings and affairs thereof, as if they were all met and were residing therein. For which, by this our letter, We give to them full power, with all its incidences and dependences, annexes and connexes, and neither one nor the other shall fail, nor shall they fail in any manner whatever, under penalty of the loss of our favor and one hundred thousand *maravedís* for our Chamber.

Given in the City of Zaragoza, the eighth day of the month of September, of the year one thousand five hundred and sixty-three.

I, THE KING.

Countersigned by Eraso; signed by the members of the Council.

Possession Taken of the Province and Valley of Guaymi and of the Bay of Zorobaró (Almirante Bay) by Juan Vázquez de Coronado, Governor of Costa Rica, 1563-1564.

Doc. 51

HARA, January 24, 1564.¹

In the village of *Hara*, which is on the North Sea, Province of *Guaymí*, region of the Valley of *Coaça*, districts and jurisdiction of these Provinces of *Cartago* and *Costa Rica*, before the very magnificent Señor Johán Vázquez de Coronado, Chief-Justice and Captain-General, Chief Justice, Judge of *residencia* and Inspector General of the Province of *Nicaragua* for His Majesty, and at his call, there appeared the *Caciques* of the said village of *Hara*, called *Yaranaba*, *Duiba* and *Duy*, who said that they came to see what the said General commanded of them; to which the

¹ Archives of the Indies. Shelf 1. Compartment 1. Bundle 1-27. Fernández, IV, p. 293.

said General replied that he came in the name of H. M., the King, Don Philip, Our Lord, that they might become Christians and his vassa¹, and they yielded to him due obedience, and they took him as their King and Master, as the Provinces of *Cotu, Cía, Turucaca, Quepo* and *Güetares* had done; and having done so the said General treated them as friends. Whereupon the said *Caciques*, all together, and each one for himself, said that they were ready to be vassals of His Majesty and to serve the said General in his Royal name and to be entirely friendly with him; in sign of which and in acceptance of them as vassals of His Majesty, the said General embraced them and he gave to them hatchets, combs, presents, beads and other things, with which the said *Caciques* appeared to be content and they promised him to serve as they should be commanded. And the said General signed with his name.

The witnesses who were present were, the Sergeant Major Juan de Turcios, Caro de Mesa, *Alguazil mayor* of these provinces, Francisco de Estrada, residents of the City of *Cartago*. (In place of *Cartago*, should read, *Castillo de Garci-Muñoz*).

Juan Vázquez de Coronado.

Passed before me: Xoval de Madrigal, notary.

And, after the foregoing, on the 24th day of the month of January, one thousand five hundred and seventy-four, the said General Juan Vázquez de Coronado, took possession in the name of His Majesty of the village of *Hara*² and Province of *Guaymí*, and, with a sword in his hand, cut branches and took the *Caciques Yaranaba* and *Duiba* and *Duy* by the hands, and he asked them if at any time any Christians had come to these regions; to which they replied through Juan Tice and Juan Quepo, interpreters, that none had entered into their territory. And the said General signed.

Witnesses, the said Sergeant Major and Caro de Mesa, *alguazil mayor*.

Juan Vázquez de Coronado.

Passed before me, Xoval de Madrigal, notary.

² Talamanca.

Possession taken of *Quequexque*, March 6, 1564.

In the village and *palenque*,³ of *Quequexque*, Province of *Duy*, on the sixth day of the month of March, of one thousand, five hundred and seventy-four, the very magnificent Señor Johán Vázquez de Coronado, Chief Justice and Captain General of these provinces of *New Cartago*, and *Costa Rica*, Chief Justice, Judge of *residencia* and Inspector General of the Provinces of *Nicaragua* for His Majesty, in the presence of me, Xoval de Madrigal, notary of the government and of justice, says that he, in the name of His Majesty, took possession of the said village and *palenque* of *Quequexque* and *Taranca*, which are together and are on the North Sea, in the region of the Islands of *Çorobaró*, toward *Nombre de Dios*, and with a sword in his hand, cut branches in sign of possession; and the said General commanded crosses to be erected in said villages, the Indians thereof serving in his said camp as he directed them to do; and they were questioned through Pedro Tice and Juan Quepo and Turuy, *Cacique* of *Hara*, whether at any time any Christians had come to the said villages, and they replied that they had not seen any such Christians enter their country.

And the said General signed with his name. The witnesses being Francisco de Estrada and Juan de la Puente and Miguel García.

Juan Vázquez de Coronado.

Passed before me, Xoval de Madrigal, notary.

³ *Palenque*, a large Indian dwelling or stockade, generally fortified; also a hamlet never exceeding three or four of these dwellings.

Doc. 52 Royal Cédula, Appointing Juan Vázquez de Coronado
Governor of Costa Rica.

ARANJUEZ, April 8, 1565.¹

DON PHILIP, by the Grace of God, King of Castile, etc.

In order to show good will and favor to you, Juan Vázquez de Coronado, considering your ability, skillfulness and the services you have rendered to us, and which We expect that you will henceforth render, and because We understand it to be meet for our service, *it is our will and pleasure that now, and from this time forward, for the whole of your life, you shall be our Governor of the Province and territory of Costa Rica*, as to so much thereof as up to now has been discovered by you, and as to that which from this time forward you shall discover in the said territory, and you shall exercise the said government and you shall have and hold (the administration of) our civil and criminal justice, with the judicial offices that there shall be in the said Provinces of *Costa Rica* and settlements thereof; and by this our letter We command the councils, judicial officers, aldermen, knights, esquires, officials and good men of all the cities, towns and places that there may be in the said Province of *Costa Rica* and the lands and settlements thereof, and to our officials and other persons who may reside therein, and to each of them, that as soon as they may be required thereunto, without any hesitation or delay whatever, without consulting or requiring further of you, or expecting or awaiting any other letter or command, or the second Royal order, they take and they receive from you, the said Juan Vázquez de Coronado, the oath, with the solemnity that is required and should in such case be observed; which being by you thus done, they shall have, receive and hold you as our Governor of the said Province of *Costa Rica* and the settlements thereof, for all the days of your life; and they shall allow and permit you freely to hold and exercise the said offices and fulfill

¹ *Ubi supra*. Audiencia of Guatemala. Registers. Costa Rica. Royal Orders and Resolutions directed to the authorities and private persons of those Provinces. (*Reales órdenes y resoluciones dirigidas á las autoridades y particulares de aquella provincia.*) Years 1565 to 1602. Peralta, *C R., Nic. y Pan.*, p. 378.

and execute our justice therein, by yourself and your deputies whom you may appoint as said Governor, *alguacilazgos* and other offices of said government annexed or relating thereto; each of whom you shall be able to deprive of his office and remove to other places whenever it is desirable for our service and the execution of our justice, and to appoint and substitute others in their places; and you shall hear, consider and determine all the suits and causes, both civil and criminal, which there may be, or which shall arise, in the said province and territory of *Costa Rica* and in the towns that you shall settle or that you may have settled, among both the people who went there to settle and the natives thereof; and you shall be able, as also your said *Alcaldes* and deputies, to collect the fees annexed and belonging to said offices and to make any inquiries permitted in cases of law, and do all other things annexed to and concerning said offices; and you and your deputies shall undertake what is needful as regards our service, the execution of our justice and the settlement and government of the said Province of *Costa Rica* and villages that you shall settle; and to use and exercise the said offices and fulfill and execute our justice; and all are to conform to your orders with their persons and property and give and cause to be given to you all help and assistance that you shall ask of them and that it shall be needful for you to have, and in all things respect and obey you and comply with your commands and those of your deputies, and shall not place any embargo or impediment whatever therein nor in any part thereof, nor consent thereto, because by these presents We receive you, and hold you as received, in the said office and in its use and exercise; and We give to you power and authority to use and exercise the same, and to fulfill and execute our justice in the said provinces and territories of *Costa Rica*, and the places that you may have settled and shall settle, and in the cities, towns and places of the said provinces and territory, and within its limits, by yourself and by your deputies, as is stated, in case that by them or by some one of them you may not be received; and by this our letter We command each and every person who holds or shall hold the scales of justice in the said provinces and territory, that upon being thereunto required by you, the said Juan Vázquez de Coronado, they shall give and deliver them up to you, and not exercise them

further without our license and special mandate, under the penalties that are incurred by and inflicted upon private persons who exercise public and Royal offices for which they have no power or authority, and We by these presents suspend them and hold them as suspended. And, further, that the penalties belonging to our Chamber and Treasury, which shall be imposed by you and by your *Alcaldes* and deputies, shall be executed and you shall cause them to be executed and given and delivered to our Treasurer of the said province.

And, further, We command that if you, the said Juan Vázquez de Coronado, shall deem it desirable for our service and the execution of our justice, that any of the persons who now are or shall hereafter be in the said province and territory, shall go out and not be or enter therein, and that they come and present themselves before us, you shall be able to command them in our behalf and make them go out therefrom in accordance with the *pragmatic* that provides therefor, giving, however, to the person whom you shall thus banish the reason why you banish him, but if you deem it desirable that it be secret, it shall be given to him closed and sealed, and you on your part shall send to us another copy thereof, so that We may be informed in the matter; but you ought to be advised that when you shall banish anyone it may not be done without very grave cause. For the purposes stated, and for the discharge of the said offices of our Governor of the said provinces of *Costa Rica* and villages that you shall settle from now henceforth, and for the fulfilment and execution of our justice therein, We give you full power by this our letter, with all its incidents and dependencies, annexes and connexes; and it is our pleasure, and We command, that with the said Government you shall have and receive a salary in each year of two thousand *pesos* of mined gold, equivalent to nine hundred thousand *maravedís*, which you shall enjoy from the day that you shall set sail upon your voyage from the Port of San Lúcar de Barrameda, and thereafter, during all the time that you shall hold the said Government. And also, if you shall have a learned deputy, there shall be paid to the said deputy five hundred ducats in each year, which salaries, two thousand *pesos* to you and the five hundred ducats to your said deputy, We command our officials of the said Province of *Costa Rica* and the territory

thereof, that shall be given and paid to you from the revenues and proceeds that in any manner We might have in the said territory, during the time that you shall hold the said government; and there being none during the said time We are not obliged to pay you anything therefor; and they shall take your receipts, with which, and with the transcript of this our *Provisión*, signed by a public notary, I command that they be received and account passed of what they shall thus give to you and to your said deputy; and neither the one nor the other shall do otherwise in any manner whatever, under penalty of our disfavor and of one thousand ducats for our Chamber.

Done in Aranjuez, April 8, 1565.

I, THE KING.

Countersigned by Gaztelu. Signed by those of the Council.

Title of Adelantado of the Province of Costa Rica Given to
Juan Vázquez de Coronado by Philip II.

Doc. 53

ARANJUEZ, April 8, 1565.¹

Whereas you, Juan Vázquez de Coronado, have discovered and settled the province and land of *Costa Rica* at your own expense, and We, considering the services rendered to us therein, it is our will that, to benefit and favor you, you shall be now and henceforth, perpetually, our *Adelantado*² of said province and land of *Costa Rica* and of the towns you might have settled and of those you may settle, and, after you, your heirs and successors; and that as such our *Adelantado* you, and after you your said heirs and successors, can hold and shall hold, said office in all cases and in all things attached to it and relating to it, in like manner

¹ Archives of the Indies. Shelf 2. Compartment 1. Bundle 19, Fernández, I, p. 59.

² *Adelantado*, in olden times the civil and military Governor of a province bordering upon an enemy's country. This title was sometimes, as in this case, entailed to one family, and there were attached to it all the privileges of a Castilian title of nobility. The Spanish Crown paid to the heirs of Vázquez de Coronado the annual salary of 1,000 *pesos* attached to the title until the independence of Costa Rica in 1821. The Crown in this way paid the sum of 275,000 *pesos*.

as our *Adelantados* of our Kingdoms of Castile and of the said Indies hold it;

And as regards the holding and discharge of said office and the recovery of the duties which are attached to it, you and your said heirs and successors shall observe, and shall be obliged to observe, the laws and *pragmáticas* of these, our Kingdoms, which relate thereto;

And that you can enjoy, and shall enjoy, and there shall be bestowed on you, all the honors, favors, franchises, liberties, privileges, preeminencies and immunities, and all the other things, and each one of these things, which by being our *Adelantado* you must have and enjoy, and which must be bestowed on you;

And that you shall have and recover the duties, salaries and other things which are due and attached to said office of *Adelantado*;

And by this our charter We command the municipal councils, justices, aldermen, knights, esquires, officials and good people of all the cities, towns and places of said province and land of *Costa Rica*, that they shall hold and acknowledge you and your said heirs and successors, perpetually, as our *Adelantado*, and that they shall deal with you and them in regard to said office in all the cases and things which are attached and relate to it, and that they shall bestow on you, and shall see that there shall be bestowed on you, all the honors, favors, franchises, liberties, privileges, preeminencies, prerogatives and immunities, and all the other things, and each one of these things, which by holding said office of *Adelantado*, and the payment must be in full, so that on you;

And they shall pay to you, and shall see that there be paid to you, all the duties and salaries which are due and attached to said office you must have and enjoy and which must be bestowed you do not lose anything, in the same manner that they have been paid, and must be paid, to the other *Adelantados* who have been in these our Kingdoms of Castile and in the Indies;

And they shall not put nor allow to be put any obstacle or impediment whatever to the aforesaid, nor to part of it, as We, by these presents, acknowledge you, and consider you as being acknowledged, in charge of said office; and We give you power

to hold it in case that they or some of them might not acknowledge you;

And it is our will, and We command, that you, and after you, your said heirs and successors, shall have, perpetually, an annual rent of one thousand pesos of mined gold, from the rents which We might have in said province and land, since We command by these presents to the officials who are now in said province and land that they must pay each year to you, and after you, to your heirs and successors, perpetually, the said one thousand pesos of which We make a gift to you from whatever rents and profits We might have in said land;

And they shall take each year from you, or from your attorney, your order of payment, and also from your heirs or successors, perpetually; and We command that, in view of this order, or a certified copy of these presents, they shall pay you and take an account of what they might pay to you in this way;

And We command that these presents concerning the foregoing be given to you signed with our hand and countersigned by our undersigned secretary.

Done in Aranjuez, the eighth day of April of the year one thousand five hundred and sixty-five.

We have commanded the former our *Provisión* to be copied from our books and two copies of it to be given to Don Gonzalo Vázquez de Coronado, a resident of the city of *Santiago* in the province of *Guatemala*.

Done at Madrid, the fourth day of April of the year one thousand and eighty-six.

I, THE KING.

I, Juan Vázquez, Secretary of His Caesarean Majesty, have had it written in two copies.

LICENCIADO HERNANDO VEGA.

Doc. 54. Instruction Given by H. M., the King, to Juan Vázquez de Coronado, for the Good Government of the Province of Costa Rica.

SEGOVIA, August 7, 1565.¹

THE KING.

To Juan Vázquez de Coronado, our Governor of the Province of *Nicaragua* and *Costa Rica*, and *Adelantado* of the said Province of *Costa Rica*:

Having been informed that *between the said Province of Nicaragua and that of Honduras and the Desaguadero of Nicaragua, on the side of the cities of Nombre de Dios and Panama, between the South Sea and that of the North, lay the said Province of Costa Rica*, and that there were therein many Indians without light or knowledge of the faith, but who have shown a great desire to accept our authority and receive the Christian doctrine, the President and Judges of our Royal Audiencia of the *Confines* ordered you and gave to you a commission in our name that you should go and make settlements therein, and bring to a knowledge of our Holy Catholic Faith, and place under our Crown and Royal Lordship the said Indians and territory.

By virtue of this order you went with some men and friars to that country and settled with Spaniards certain towns therein, which are still peopled; and because We are very desirous that this territory shall be settled and placed under good administration and order, and also that the natives thereof may be enlightened and instructed in the matters of our Holy Catholic Faith, as also that the Spaniards who may go there may be profited and shall be permanently settled and have means of livelihood; and having understood how important it is for the welfare of that territory that there should be order in the settlement thereof, We have directed its consideration in our Council of the Indies; and having in you the trust and confidence that is desirable, We have agreed to confide it to you again, for having the matter before you, you will do what is desirable for the service of God, our Lord, and the propagation of his Holy Catholic Faith, and

¹ *Ubi supra*. Peralta, C. R., *Nic. y Pan.*, p. 387.

also for our service and the aggrandisement of our Royal Crown and the welfare of the settlers and natives of that territory; and so We command you that you proceed therein with the care and diligence that We expect from you; and in the said settlement and exploration you shall keep and shall cause to be kept the order that is contained in this instruction, which is as follows:

(Here follows the instruction, which is identical with that given to the Governor of Tierra Firme for the settlement of the Dukedom of Veragua.)

Dated in Segovia, the seventh of August, one thousand five hundred and sixty-five.

I, THE KING.

By command of His Majesty.

MARTIN DE GAZTELU.

Issued by the Council.

Royal Cédula to the City of Cartago, Thanking It for Its Services. Doc. 55

SEGOVIA, August 7, 1565.¹

THE KING.

To the Municipal Council, judges and aldermen of the City of *Cartago*, which has been newly settled in the Province of *Costa Rica*:—From the account which has been made to us by the *Adelantado*, Juan Vázquez de Coronado, and Captain Diego Caro de Mesa, We have understood how well you have served us in the exploration, settlement and pacification of that province, and the willingness that you have to continue therein, for which I thank you and consider it as a service, done by faithful servants and servitors; also We charge you to so continue henceforth, and you shall do it as confided to you, and so doing I shall direct that you shall be kept in mind in order that you may receive favor as opportunity may offer in that country.

From Segovia, on the seventh of August, one thousand five hundred and sixty-five.

I, THE KING.

Countersigned by Gaztelu; delivered by the said (persons).

¹ *Ubi supra*. Peralta, C. R., *Nic. y. Pan.*, p. 392.

Doc. 56 Title of Governor of the Province of Costa Rica, in Favor
of Perafán de Ribera.

BOSQUE DE SEGOVIA, July 19, 1566.¹

DON PHILIP, by the Grace of God, King of Castile, etc., to you,
Perafán de Ribera, health and greeting:

Know ye, that We had designated as our Governor of the Province of *Costa Rica* Juan Vázquez de Coronado, who discovered and began to settle it, but who died while on his way to serve in that office; and for certain reasons regarding our service and the administration of our justice, it is our will and pleasure to direct that the person or persons who at present hold the scales of our justice in the said Province of *Costa Rica*, and their deputies and officials, shall account for the time that they have discharged and administered our justice therein, and meantime until it shall be our pleasure and We otherwise command, there shall be a suitable person, who shall serve and reside in the said Province and have the government thereof; and confiding in you, and believing that you are such a person, and one who will well and faithfully discharge the office of our Governor in the said Province of *Costa Rica*, and will have regard for the matters relating to the service of God, our Lord, and ourselves, and will do what is proper in the execution of justice and for the peace, tranquility and settlement of the said province, and will discharge and provide for, uprightly and in good conscience, all that may be by us commanded, entrusted and charged, and that by these presents We entrust and commit—for We command that as soon as this may be delivered to you, you shall go to the said Province of *Costa Rica* and take unto yourself the scales of our justice, which the said governor is accustomed to hold, and he shall render an account and his deputies and officials within a period of ninety days. And you shall do justice to those who may have questions to be decided, in accordance with law and that which has been commanded by the *Provisiones* and Ordinances given by the Catholic Kings and by the Emperor, my

¹ *Ubi Supra*. Audiencia of Guatemala. Registers. Costa Rica. Peralta, C. R., *Nic. y Pan.*, p. 411.

Lord of glorious memory, and by us, for those countries. And We order that the said Governor and his said deputies and officials shall render their accounts before you, as stated; that they give and deliver to you at once the scales of our justice, and that they shall perform no other official act; and that they shall appear personally at the place where you shall reside, remaining there until their account has been rendered, under the penalties contained in the said *pragmatics* of those Kingdoms, which relate thereto.

And you will inform yourself and know how and in what manner the aforesaid and each one of them have discharged the said offices and fulfilled and administered our justice, especially as regards public offences, and how they have kept the Laws, Ordinances and *Provisiones* of the said Catholic Kings, of the Emperor, my Lord, and of ourselves, which have been given and made for those countries, and how they have defended our justice, law and preeminence and Royal patrimony. And if, after private inquiry, and after giving them a transcript of the charges and hearing their defence, the parties interested being called and heard, you shall find them guilty in anything, you shall ascertain the truth, notifying them that no further proof can be received therein; and once ascertained you shall see that justice is fulfilled therein.

And as soon as the ninety days have expired, you shall at once, with all diligence and care, without delay, transmit the account to us, in our Council of the Indies, so that We may be promptly informed of the affairs of the said province.

And you shall also institute an inquiry as to how and in what manner the said Governor and the said deputies and officials have used, managed and treated the matters relating to the service of God, Our Lord, and of ourselves, especially as regards the conversion, instruction and good treatment of the natives of the said province, and the other things of our service, both as to the execution of our justice and as to the good management and faithful collection of our finances, the welfare of the said province, and the penalties imposed upon my councils or private parties belonging to our Chamber and Treasury, which you shall cause to be collected therefrom and from any other person who may

be obligated thereto, and you shall deliver said fines to our treasurer of the said province or to the one holding his authority.

And you shall also inform yourself and know how and in what manner the Aldermen, *Mayordomos* and clerks of the Council, and other officials of the cities and towns of the said province, have conducted and administered the said offices, since by us they were designated thereto and have not accounted therefor, or whether they have gone or acted contrary to the laws issued by the Cortes of Toledo, or contrary to what is ordered or commanded by the Catholic Kings, the Emperor, My Lord, and by ourselves; and if in anything they be found guilty, after secret inquiry, having given them a transcript of the charges and receiving their defense, and ascertaining the truth of all of it, you shall do and determine that which you shall find to be just, and send to us also a report thereof.

And it is our pleasure, and We command, that you shall be and reside in the said province four years, which shall run and be counted thenceforward from the day that you shall arrive therein, and such further time as shall be our pleasure; and that you shall be our Governor of the said province, taking charge of the same, and administering our justice, both civil as well as criminal, in the said province, taking said charge in the matters that it has been customary for the Governors, who have been up to this time in the said province to conduct; and you shall have power to do, and you shall do, all that the previous Governors of the said province were directed to do by our *provisiones, cédulas*, instructions and dispatches.

And by this our letter, or by the certified copy thereof, We command the councils, judicial administration and aldermen, knights, esquires, officials and good men of the cities, towns or places of the said province and our officials thereof, that as soon as they may be required thereunto, they shall take and receive from you, the said Perafán de Ribera, the oath, with the formalities that are required and should be observed in such cases; and this having been done by you, they shall have, receive and hold you as our Governor of the said province for the said time and for such time as shall be our pleasure. And they shall allow you to freely hear, decide and understand all the proceedings and suits, both civil and criminal, which shall arise in the said prov-

ince, and which, as our governor, you should and ought to know, and provide all the other things that the *Alcaldes mayores* and Governors who have been therein could and ought to do and know; and to make and receive inquiries and informations in the legal cases where, in your opinion, it will be desirable for our service, for the execution of our justice and the good government of said province; and you shall take and collect the fees annexed to and belonging to the said office; and in order that you may be able to use, exercise, fulfill and administer our justice, all persons shall be subject your direction in their person and property, obeying you and causing to be given to you all the favor and assistance that you shall require of them, and of which you shall have need, and in everything respecting you they shall obey and fulfill your commands; and that neither therein, nor in any part of it, shall they put or consent that there be put, any hindrance whatever, because by these presents, We receive you, and We hold you as received therein, in said office, and in the conduct and exercise thereof; and We give to you power and authority in order to conduct and exercise it, in case that by them, or by any of them, it may not be so received.

And further, by this our letter, We command that said governor or who at present is in the said province, or such other person as may hold the scales of our justice, that as soon as he may be required thereunto by you, he shall give and deliver the same to you and not act further in the said office, under the penalties that are imposed upon, and that are incurred by, persons who act as public and royal officers without authority therefor; since We, by these presents, suspend them and hold them suspended from the said offices. And for all the foregoing, and for each and every part thereof, We give to you full power, with all its incidencies and dependencies, annexes and connexes; and We order that you may have and receive as salary in each year for the said office of our governor, two thousand *pesos* of gold of four hundred and fifty *maravedis* each, which you shall have and enjoy from the day that you shall depart from the Province of *Honduras* in order to go to serve in the said office and during all the time that you shall serve in said office; and We order our officials of the said Province of *Costa Rica*, and the territory thereof, that they give and pay to you your said salary in each

year, as before stated, from the revenues and benefits, which we shall in any manner receive in the said territory, during the time that you shall hold the said government; and if there are none during the said time We shall not be obliged to pay you anything therefor. And they shall take your receipts, with which, and with the transcript of this our *Provisión*, signed by a public notary, I order that they may be received and what they thus give and pay to you shall be passed in account. And in no one, or in any, of these *provisiones* shall you or they fail, under penalty of our disfavor and of one thousand *castellanos* of gold for our Chamber.

Done in the Bosque de Segovia, on the nineteenth of July, one thousand five hundred and sixty-six.

I, THE KING.

By command of His Majesty; Francisco de Eraso. Tello de Sandoval. The Doctor Vázquez. The Licentiate Valderrama. Doctor Luis de Molina. The Licentiate Salas. Doctor Aguilera.

Registered: OCHOA DE LUYANDO.

Chancellor: MARTÍN DE RAMOIN.

Doc. 57 Royal Cédula, Re-establishing the Audiencia of Guatemala.

THE ESCURIAL, June 28, 1568.¹

DON PHILIP, etc.

To you, our Governors and all other Justices whatsoever of the Provinces of *Guatemala*, *Nicaragua*, *Chiapa* and *Higueras* and Cape of *Honduras*, and of *Verapaz*, and whatever other islands and provinces there may be on the coasts and in the districts of the said provinces, as far as the Province of *Nicaragua*, and to the councils, justices, aldermen, knights, esquires, officials and good men of all the cities, towns and places of the said prov-

¹ *Ubi supra*. Audiencia of Guatemala. *Registros de Partes*. Royal Orders directed to the authorities, corporations and private persons of the district (*Reales órdenes dirigidas á las autoridades corporaciones y particulares del distrito*). 1560-1578. Book of Guatemala of 1560 to 1569. R. 4. Folio 414. Fernández, V, p. 1.

inces and lands hereinabove declared; and to each one of you to whom this our letter shall be shown, or its transcript signed by a public notary, or of which you shall come to know in any manner whatever; health and greeting:

Know ye, that for the good government of these said lands and administration of our justice therein, We have decided to reestablish our Royal Audiencia and Chancellery, in order that it may reside in that Province of *Guatemala*, in the city of *Santiago* therein, for which We have appointed our President and Judges that they may reside in the said Audiencia, and so that the things of our service, the execution of our justice and the good government of those regions may be carried out as they should be for the general welfare of the said territory; the matter having been considered by the members of our Council of the Indies, it was decided that We should direct this letter to be given to you, for the said purpose, and We approved:—by this We order all and each one of you, in your said places and districts as stated, that in everything which you may be commanded to do by our said Audiencia, you shall obey, respect and execute its commands, and cause them to be accomplished and executed in everything and by everybody, accordingly, and in the manner that you shall thereunto be commanded by it, and you shall give and cause to be given to it all the favor and assistance that shall be required of you and of which it shall have need, without making therein any excuse or delay whatever, nor interposing therein any appeal, or petition, or other impediment whatever, under the penalties which may be imposed upon you or directed to be imposed, and which We by these presents do impose and hold to be imposed;—and We give to you power and authority to execute the same upon those who shall be rebellious and disobedient, and against their property; and inasmuch as We sent out our said President and Judges together, and it is possible by the fortunes of the sea, especially in so long a voyage, with its uncertainties and accidents, or by some hindrances, illness or other matter which may happen on the way, that they may not be able to arrive together in the said territory, and that those who may arrive there before the others may be hindered in the use and exercise of their offices, on the pretext that they shall not be able to act without all are together, whereupon doubts and differences might arise in that

territory; therefore, by these presents We desire and command, and give power and authority to our President and Judges, in order that if any one or more of them whatsoever shall arrive in the said territory before the others, notwithstanding they do not all arrive together, those of them who shall have arrived in the meantime and are properly met, shall have power to act, and may act, as the said Audiencia, and hear despatch and determine the causes, proceedings and affairs thereof, as if all were met and resided therein; and until our said judges shall arrive, We command that our President alone may act as said Audiencia, and may have the same authority and power as if all were met together, and if our said President is in default, the judges who shall arrive, or any one of them, shall hold it, as by this our letter We give them full power, with all its incidences and dependencies, annexes and connexes, and neither the one nor the others shall fail in any manner in this, under penalty of our disfavor and of ten thousand *maravedís* for our Chamber.

Done at the Escorial, the twenty-eighth of June, in the year one thousand five hundred and sixty-eight.

I, THE KING.

Countersigned by Eraso. Signed by Luis Quixada, Licentiate Don Gómez Capata, Licentiate Salas, Doctor Aguilera, Doctor Francisco Villafañe.

Doc. 58 Relation of Perafán De Ribera, Governor of Costa Rica, to H. M. the King, Don Philip II, Concerning the Province of Costa Rica.

NOMBRE DE JESÚS, July 28, 1571.¹

Catholic Royal Majesty:

I wrote to Your Majesty, in duplicate, by way of *Nombre de Dios* and *Honduras*, during the year 1569, and sent the account-

¹ Archives of the Indies. Patronato. Simancas. New Kingdom of Granada. Descriptions and Settlements belonging to this New Kingdom (*Descripciones y poblaciones pertenecientes á este nuevo Reyno*), years 1526 to 1591. V, p. 435, Docs. of establishment of city of Nombre de Jesús. Fernández, V. p. 46.

ing that I took from my predecessor and information as to the condition and needs of the country, where I found the natives in insurrection, and from the day that I arrived to govern them I have not had a day of rest, for I have been engaged in reducing them to your Royal service. And after quiet had been restored, I made a general distribution of the entire territory, allotting it to those who had gained it and to those who had to maintain it; and in this manner I rewarded the services that had been rendered in this country to Your Majesty, after having had great difficulties with the soldiers, who were deserting and abandoning the country, without my being able to maintain it, nor to resist, after taking the views and being in communication with the municipal councils, the friars and the officers of your Royal Finances and of War, because I found no other way that was adequate for the peace and proper settlement and maintenance of these regions. I selected always the least evil, for in this country Your Majesty at present has no profit whatever, and to such an extent is this so, that I have not collected my salary, but have rather expended my own fortune.

Of all this I sent Your Majesty information, so that it might be known to you; and having concluded the business in this manner, and having informed Your Majesty of everything, I went into the interior which was at war, in compliance with your Royal *Provisiones* and instructions, to make new settlements among the greater villages of the natives, of which we had report, in order that they might be directed to the knowledge of God, Our Lord, and placed under the Royal yoke and dominion. I took soldiers for my defense, and to accompany my person and your Royal Standard and the friars that I brought to preach the Holy Gospel and instruct the said natives, and with them the nobility and gentlemen of the city of *Cartago*, among whom came the officers of your Royal Finances and other captains and war officers putting me under new obligations and indebtedness, because, as I have said, Your Majesty has in this country no money or profit whatever; so that I have subjected it and maintained and increased it and made new settlements at my own cost and expense, as will more fully appear to Your Majesty by the depositions that I sent, given by the principal persons in the country.

I went along the coast of the North Sea one hundred leagues,

all mountains; a difficult, broken country, though in many places it is much populated. I did not find any site suitable for settlement; I arrived at the extreme of this Government, towards the *Dukedom of Veragua*, and at the end of a year, after having suffered great hardships and run great risks, both from disease and great rivers and the Indians, and not the least from the Spaniards whom I brought, because each day some of them mutinied against me in spite of my having used them with kindness and severity and all the means that I could, I crossed the Cordillera, where I saw both the Seas, the South and the North.

I went along the coast of the South Sea, almost another hundred leagues towards *Natá*, as far as the limits of my government, in pursuance of the news I had of the famous Valley of *Guaymí* and of *Duy*, where in your Royal service so many *armadas*, governors and captains have been lost, with very great hope of succeeding and reaching the goal that so many others had not been able to reach, although they had started with greater possibilities and fewer years; and although the men were not able to endure any longer the hardships, the nakedness and lack of horses and munitions, and even a third of the camp I took, who had died and perished by the hands of the warlike natives and in the rivers and by sickness, we all agreed, by common consent, to perish in your Royal service in that region and among the principal tribes which we had discovered; and so we labored, with the result that on this coast of the South Sea, in the Province of *Coto*, forty leagues from *Cartago*, the chief town of this government, in your name and by virtue of your Royal Provisions, I founded a settlement and city and called it *Nombre de Jesús* and made the other arrangements that seemed to me suitable for your Royal service, as Your Majesty will see by the documents relating to the foundation of the city which are sent herewith.

I at once sent to that part of the province which is at peace Don Diego López de Ribera, my son, who, as your Captain General, has accompanied me, with orders to secure assistance in men, cattle and munitions for the maintenance and perpetuity of these new settlements, and directed him to inform your Royal Audiencia by letters of all that happened. He found that our absence had caused many changes, because after a year and a half during which we have been engaged in these labors they

thought that we were dead, and the Audiencia appointed one Hortún Velasco as Governor on account of my supposed demise, and many other things had happened to Captain Antonio Pereira, whom I left as my deputy. Now, recently, I am sending my son to the Audiencia of the *Confines*, to personally give account of all that happened, and to arrange for other settlements, and to ask that it provide some things which should be provided for your Royal service, for the continuance of this new city and of another towards the *Desaguadero*, in the Province of *Suerre*, where your Governor, Felipe Gutiérrez,² entered, which will have to be done by way of the city of *Granada*, Province of *Nicaragua*, by frigates and brigantines; and also to ask for supplies, for cattle and horses, by way of the city of *Cartago*, for use of this Government.

And also that they may provide friars of the Orders of Santo Domingo and San Francisco, to engage in the preaching of the Holy Gospel and the instruction and conversion of these natives, and also so that the settlers may be able to continue and support themselves until the Indians that are allotted to them give tribute and they get some advantage from them; that loans may be made to them for six years, under an arrangement by which they may pay a part in each year, so that the officers of your Royal finance may continue collecting; for in this way the territory will be settled and made permanent, and Your Majesty will lose nothing but will have done this country good, which will restore the losses Your Majesty may have had in it, and Your Majesty will begin to receive from it some revenue and advantage, as will also the villages and Indians that are placed under your Royal Crown, from the mines that are discovered and that are now newly being discovered, but which, there being no one to work them, nor any possibility thereof, do not make any progress.

I wrote to the Royal Audiencia to send miners and suggested that they should, from your Royal Treasury, buy negroes, who might do this work, for from that would result increase for your Royal treasury. I do not know what they will provide. Up to this time the Royal Audiencia of *Panama*, in whose district we

²The original says "Felipe," but it should be Diego Gutiérrez.

had been placed,³ has not helped these provinces, although they were on the point of being abandoned, notwithstanding I sent to request it, with information of the insurrection in the country and the need it was in; and I went to the verge of ruin myself, because I saw myself in a great difficulty, without being able to resist or help it, if all the men went away from me.

I saw the Royal Audiencia would provide nothing, because there is nothing more odious to it than the Governors appointed by Your Majesty, as it seems that they (the Audiencias) take satisfaction when those governors cannot fulfil their duty, or when some misfortune happens to them, and that is the way they are helped; and by experience it is seen how much those are favored whom they (the Audiencias) appoint; this is a thing which should be remedied and reproved; and if the fifth part of what they have wasted in *Panama* on runaway slaves, and captains, had been expended in this wretched territory, it would be today the most prosperous and the principal one of the Indies with the resources and capabilities that it has. They all let it go by as if it were a matter of no value to Your Majesty.

I cannot maintain it from now forward, on account of my age and ill health and poverty. I have done all that I could and even more; and no one who could have been sent out to govern it, even with ample funds, would have gone as far as I have done. I have lost in this country one of my sons and my wife in the serving of Your Majesty, and I have two other sons working therein, and I now beseech that, leaving an attorney with my power, to give an accounting for me, with sufficient bonds to legally answer persons who may bring any proceedings, and to pay anything that may be adjudged or decreed, that I be given permission to go and rest at my house and recover my health, and that provision be made as to who shall govern; and this I beg also of your Majesty.

There is due to me all of my salary, and besides I leave very much burdened and indebted on account this new settlement. Very humbly, I beg Your Majesty to command that this be reme-

³ The Audiencia of the *Confines*, or of Guatemala, was transferred to Panama by the Royal *cédula* of Zaragoza, September 8, 1563, and restored again to Guatemala by the Royal *cédula* of the Escorial, June 28, 1568.

died, because otherwise I will have to go to the hospital or the jail; nevertheless, although leaving in this destitute condition, I consider that I have gained much in having employed myself so well in the service of Your Majesty, for I am certain that Your Majesty being so magnanimous and such a great Prince, that account will be taken of my services and those of my sons, in order to make us some grant, as is done to all your servants and servitors, since our services merit no less, and of the further fact that as fathers and sons we have served in this government, I particularly having served Your Majesty forty-five years in these countries. May Your Majesty be pleased to take all these things into consideration. If in this new country Your Majesty had expended or loaned to the settlers a very small part of what has been expended in *Florida* or in the *armadas* of *Peru* and *New Spain* and other parts, greater good would have resulted, for without doubt it is no less important and is even more necessary.

Let your Majesty command a report by the Audiencia of the *Confines*, and that statement being found to be true, as it will be, two things must be provided; friars to teach and loans for the settlers until the Indians pay their tribute or they have other benefits and harvests. In this way the country will progress but otherwise it will diminish and even be abandoned, and once abandoned it will not again be settled as it is now. With a hundred thousand *pesos* and with a little trouble Your Majesty will be able to restore much, and above all exalt the faith, and stating this I discharge my conscience and faithfully comply with what is due from me and the true servant of Your Majesty.

There is another matter that comes up of no less importance. One of the pillars that must support this country and continue it is a Prelate who shall take care of the spiritual matters, for as the pastoral office is a continuous one and the exaltation of the Faith is attached thereto, he will strive for it with greater energy. The prayer of all these settlements of this government is that Your Majesty will be pleased to grant this office of Prelate to the Licentiate Antonio Remón, a learned man, of much erudition and wisdom, of good example and experience in the rules of the church and spiritual government—things very necessary for the foundation of this new church and the rooting out of the vices and evil rites of these barbarous people, and the planting among

them of the Faith and good customs. I beg that Your Majesty will condescend to listen to the voice and petition of all these people, since it is so important to the service of God, Our Lord, and of Your Majesty, and for your Royal conscience and the general good of the natives and of the whole country.

The ports that have been discovered in this government, on the coast of the South Sea, are three; one for the city of *Aranjuez*, which we call the port of *Ribera* and which is the most frequented; two ports for this city of *Nombre de Jesús*, one called the port of *Coronado*, which is ten leagues from it, and the other the Gulf of *Dossa* will be as many more.

Four leagues from the port of *Coronado* is an island that is called the Island of *Caño*, and all the vessels and ships that go to *New Spain* and *Peru*, *Tierra Firme*, *Guatemala* and *Nicaragua* touch there; it will be much frequented for this reason, and the port of *Coronado* (which was discovered by Juan Vázquez de Coronado) also; and this city of *Nombre de Jesús* would have much business. On the coast of the North Sea there are two ports known, which are the port of *San Juan* and that of *San Jerónimo*.⁴ I have no news of more, because that territory is at war and there is no trading done.

This government has a length of one hundred and fifty leagues and in width it has forty, and in some parts less, and this is from one Sea to the other; and the greater part is at war. The natives have many languages. There must be forty thousand natives, it is believed, but it can not be certified as a certain thing. Many mines have been discovered roundabout this city of *Nombre de Jesús* and on the *River Estrella*, and in the settlement of *Moyaqua* and *Auyaque*. The whole country can be quieted by establishing a city in *Suerre*, toward the *Desaguadero*, and sending friars to it and a bishop, and giving help to the settlers. In this Government there are only two friars, one in this city of *Nombre de Jesús* and another in *Cartago*; that of *Aranjuez* is without a priest. It would be desirable to have them provided with ornaments and vestments, and arms and munitions for the soldiers, to prevent insurrections. Your Majesty has six villages

⁴ Almirante Bay.

placed under your Royal Crown; one is at peace, two of them are only partly at peace, and the other three are at war. They do not pay any tribute other than food for the soldiers. The one that is at peace gives only maize, which is given out among the men who come to serve Your Majesty in the pacification of this country. There should be fifty friars sent to engage in the conversion and teaching of these natives. There are two officers of your Royal treasury; not one has been duly appointed and they serve without salary.

From this new settlement will result more travel by land from here to *Panama*, and from here to *New Spain*. I do not know whether Your Majesty has received my letters and despatches, because I have no advices thereof, nor have I received any letters from Spain, although I know that my deputy sent to me certain packets by Indians who were at war and among them they have been lost, for which reason I do not know if Your Majesty has sent to me any orders, which has given me no little distress and anxiety. This is a result of our coming so far in the interior of the country and of having remained so long away. I could not do any better.

May Our Lord keep the Catholic and Royal Person of Your Majesty with increase of many more Kingdoms and lordships in your Royal service, as the servants of Your Majesty desire.

From the city of *Nombre de Jesús*, province of *Costa Rica*, the twenty-eighth day of the month of July, one thousand five hundred and seventy-one.

Royal Catholic Majesty, I kiss the feet and hands of Your Majesty, your humble servant,

PERAFÁN DE RIBERA.

Doc 59 Royal Cédula to the Audiencia of Panama Directing It
to Refrain From Acting in Matters that are Within the
Limits of the Jurisdiction of the Audiencia of Guatemala.

SAN LORENZO, August 12, 1571.¹

THE KING.

The President and Judges of our Royal Audiencia which resides in the city of *Panama*, of the Province of *Tierra Firme*:

As you know, after having directed the removal to the City of *Panama* of our Royal Audiencia which resided in the City of *Santiago* of the province of *Guatemala*, We deemed it desirable for our service, the administration of our justice, the welfare of our subjects and the natives thereof, in accordance with a petition submitted to us by the said Province of *Guatemala*, to direct the re-establishment of our Audiencia in the said city of *Santiago*, so that there might be taken up and decided therein the affairs and suits that shall arise, and may have arisen in the said Province of *Guatemala*, in the other neighboring provinces and in those bordering upon it, which We designate for the district and jurisdiction of the said Audiencia.

And it having been stated to us, that after the said re-establishment was made, there have been received and admitted in that Audiencia of yours, appeals concerning some affairs that belong to the district of the said Audiencia of *Guatemala*, and which it was known should have been sent to the latter, from which inconveniences and delays to the parties have arisen, and for fear of which others of them have been allowed to go by default: wherefore, inasmuch as We desire that these things should cease and justice be promptly done, We command that as soon as you shall receive this our *Cédula*, you shall arrange that the prosecution of whatever affair or suit may be before your Audiencia shall cease, if it is within the limits and jurisdiction of the said Audiencia of *Guatemala*; and in the condition in which they shall be you shall transmit them to that Audiencia, without admitting any new plea or petition whatever, so that they may be prosecuted

¹ *Ubi supra*. Audiencia of Guatemala. Registers. Royal Orders to the authorities, corporations and private individuals of the district (*Reales órdenes á las autoridades, corporaciones y particulares del distrito*). Years 1560-1578. Fernández, V, p. 53.

and completed therein and justice be administered, except those in which sentence may have been rendered, We deeming it best that those must be concluded in your Audiencia,—and you shall not admit of new appeals in matters where action competes with said Audiencia of *Guatemala*, but you shall remit the same to it, as above is declared.

Done in San Lorenzo el Real, August twelfth, one thousand five hundred and seventy-one years.

I, THE KING.

Countersigned by Antonio de Reaso, and signed by the Members of the Council.

Royal Cédula Directed to the Audiencia of Guatemala. Doc. 60

SAN LORENZO EL REAL, May 26, 1572.¹

THE KING.

Whereas We have conferred the Presidency of the Royal Audiencia of the Province of *Guatemala* on you, Dr. Villalovos, our Judge who is at the present time attached to the Royal Audiencia that resides in the city of *Mexicó* in New Spain; and whereas We have ordered that you alone shall have charge of the government of the said province and direct the allotment of Indians that may be available for distribution, and that you may fill the offices that may exist in said province and in the district of the Royal Audiencia therein, as is more fully set forth in the *cédula* and commission which We thereunto order to be issued to you;

And because it may be that the Governors and *Alcaldes mayores* of the said district, claiming authority under our titles to said offices and desirous of serving out the term prescribed therein—although such had been our will—or for other reasons or ends, may wish to exercise the said offices for a longer period than said term and enjoy the same while awaiting our extension of said terms;

And because We desire that in the filling and administration of the said offices care should be taken to do that which will be for the best advantage of our service and the good government

¹ General Archives of the Indies. Audiencia of Guatemala. Registers of parties. Royal orders directed to the authorities of that district. Years 1560 to 1578. Shelf 100, Compartment 1, Bundle 9.

of the said provinces and of the natives thereof, and confiding in your person that you will so do and provide—

Therefore, by these presents, I declare it to be my will that the government of the Province of *Guatemala*, and all the other governments and *alcaldías mayores* and other temporal offices (outside of those declared and excepted that, up to the present, may need to be filled in the provinces subject to the said Audiencia of *Guatemala* which We may fill through our governor and president of that audiencia or in any other manner), or those which it may be an advantage to fill anew, you, the said Dr. Villalovos, alone, may fill by virtue of our commission and order thereunto which you possess;

And the said governors and *alcaldes mayores* shall not intermeddle in this matter or exercise the said offices for a longer term than that specified in their titles or *provisiones* thereto, notwithstanding that some of them hold our titles thereto for the terms therein prescribed, and although such had been our will, inasmuch as their said terms are concluded, because, having been filled by us, the said offices must remain vacant until they are filled by you under such orders and for such terms as may be convenient, without the acquisition by those persons who hold them of any right to exercise them for a longer term than specified in their titles under the pretense that it is provided therein that they may do this for such longer term, although such had been our will;

And you are superceded in the direction of the governments of *Honduras*, *Costa Rica* and *Soconusco* for those We reserve to ourself in order that We may bestow them on whomsoever We please;

And We command the said our governors, *alcaldes mayores* and all others of our justices whomsoever whom the foregoing concerns and to whom it appertains, that they keep and fulfill, and cause to be kept and fulfilled this my *cédula* as is therein specified and declared; and, failing in this, We give you full power to cause it to be done and fulfilled.

Done at San Lorenzo el Real on the twenty-sixth day of May in the year one thousand five hundred and seventy-two.

I, THE KING.

Countersigned by Antonio de Eraso and signed by the members of the Council.

Royal Cédula to the Audiencia of Panamá Stating that the Provinces of Costa Rica and Nicaragua Belong to the Audiencia of Guatemala. Doc. 61

MADRID, July 17, 1572.¹

The King:

To the President and Judges of Our Royal Audiencia of Panamá in the Province of *Tierra Firme*:

We have seen your letter of September 31, 1570, and We are obliged to you for the care with which you inform us of the state of things in that land. You shall continue to do this so that We may be informed in order to provide the best for the welfare of that land. * * * *

You say that the Provinces of *Nicaragua* and *Costa Rica* are placed within the district of that Audiencia and that that of *Guatemala* has interfered in the government of them, and you ask that you be advised as to what We are pleased may be done. We have fixed to both Audiencias the districts that each one must hold by the *Provisión*, copy of which is sent to you with this, and you shall observe it in what concerns you.

I, THE KING.

Countersigned and signed by the aforesaid.

¹ Archives of the Indies. Shelf 109. Compartment 1. Bundle 8. Fe-ralta, *Jurid. Territ.*, p. 195.

Doc. 62 Capitulación With Captain Diego de Artieda for the Exploration, Settlement and Pacification of Costa Rica.

EL PARDO, December 1, 1573.¹

The King:

Whereas you, the Captain Diego de Artieda, in your zeal for the service of God, Our Lord, and ourselves, and in order that the Holy Catholic Faith and evangelical law may be exalted and our Crown, revenues and Royal patrimony increased, have proposed and determined to go in our name, and at your own cost, to explore and settle the province that they call *Costa Rica*, in our Indies of the Ocean Sea, and seek to bring the native Indians thereof to a knowledge of the true God and in subjection and obedience to us.

And you have begged us to give you authority to do this, and to direct that a *capitulación* be made with you in regard thereto.

And the proposal having been considered by the members of our Council of the Indies, and regard having been given thereto and to our great desire for the conversion and teaching of the native Indians of the said province, and that our Holy Catholic Faith and evangelical law may be preached and taught, and that they may come to the knowledge thereof in order that they may be saved, We have approved, and do approve it, and We have agreed to direct that there be made and entered into with you, concerning the said exploration, and the settlement and pacification, an agreement, *capitulación* and accord, in the manner following:

1. In the first place you, the said Captain Diego de Artieda, offer to go and explore, settle and pacify the said Province of *Costa Rica*, at your own cost and expense, without our being required to assist you therein with anything from our Treasury, and to expend and you shall expend in doing and carrying this out twenty thousand ducats; and that in order to go upon the

¹ *Archives of the Indies*. Audiencia of Guatemala. Registers. Costa Rica. Royal Orders and Resolutions addressed to the Authorities and Private Individuals of that Province (*Reales órdenes y resoluciones dirigidas á las autoridades y particulares de aquella provincia*). Years 1565 to 1602. One vol. in parchment, fol. 44. Fernández, V, p. 55.

said exploration you will have in the ports of San Lúcar de Barameda or Cádiz, during the month of January next of the year one thousand five hundred and seventy-four, or, at the farthest, by the end of the month of April of the said year, three ships, two of them large sea-going vessels and the other an *azabra*, frigate or caravel, suitable for the voyage, all three vessels to be of four hundred and fifty tons burden or more, well calked, armed with cannon and provided with sails, cordage, cables, anchors and the sailors and seamen needful for their service and management, and all the things that may be necessary therefor; and that they shall be ready to set sail upon your voyage with one of the fleets that shall depart in the said year seventy-four for *Tierra Firme* or *New Spain*.

2. Item: you offer for the said purpose to raise and obtain in these our Kingdoms and to transport in the said vessels to the said Province of *Costa Rica*, at least two hundred men, one hundred of them married, and all able men for the said exploration, settlement and pacification, and that you will have them collected and ready for embarkation at one of the said ports of San Lúcar or Cádiz by the end of the month of April next, as stated, each one provided with the necessary arms and equipment, such as swords, daggers, arquebusses, crossbows, helmets, shields, pikes and the other necessary arms for the expedition.

3. Item: you offer to have ready at the said time and embarked in the said vessels, and you will carry in them, all the food, clothing, supplies and provisions that shall be necessary for all the people, both seamen and soldiers, who may go, and shall be carried, in said vessels, for at least one entire year.

4. All of which you offer to have ready, and in the manner stated, between the said month of January first next and that of April first following of the said year seventy-four, for the inspection and approval of our officers of the *Casa de la Contratación* of the city of Seville; and when you shall be ready to sail, one of the said officers shall visit the said three vessels in the form and manner that it is usual and they are accustomed to visit ships that have gone on similar explorations, in order to see if you set out in the proper manner and as is requisite for the fulfillment of what you have offered to do.

5. And when the said vessels shall have been visited and are ready as aforesaid, your offer is to set forth, with the help of God, from one of the said ports and to go with the said vessels, people, and supplies, in company with one of the said fleets for *Tierra Firme* or *New Spain*, which shall first depart in the said next year of one thousand, five hundred and seventy-four, all in good order for the said exploration, settlement and pacification, well armed and ready for war, and to proceed directly to the said province of *Costa Rica*;—and when you shall have arrived there your offer is to explore all the coast of the said province, *from the mouths of the Desaguadero to the boundaries of Veragua on the North Sea, and therein you shall take, in our Royal name, the possession of that which shall not have been taken, and you shall explore all the said provinces inland as far as the South Sea; and on the coast of the said South Sea, from the place they call Los Chomes, from whence the province that lies on the side of Guatemala takes its name, straightforward to the valleys of Chiriquí, as far as the said Province of Veragua;*—and you shall settle in the said Province of *Costa Rica* three cities, one of which shall be provincial and the other two auxiliary, in the most suitable, fertile, productive and necessary location, in order that therefrom may be prosecuted the settlement and pacification of the said province, one of which cities must be in the Port of *Bocas del Drago*,² which is on the North Sea coast of the said province;—and if for any good reason it does not appear to you desirable to make and settle the said city there, you shall settle at another one of the ports of the said coast where it is most needed, desirable and convenient for the settlement of the said province, the business and commerce of the Spaniards and people who shall dwell therein; and the second of the said three cities you are to locate in the middle of the said province, in the Valley of *Guarco*, and the other one in the province of *Garavito*, or in some other more suitable location, on the slope toward the South Sea.

² Under this name of *Bocas del Drago* is included, indiscriminately, Almirante Bay and the lagoon of Chiriquí, known since the Fourth Voyage of Columbus (1502) as the Bay of *Cerebaró*, *Zerabora*, or *Zarabaró* and *Aburemá*, and later (1560) as the Port or Bay of *San Jerónimo* and Bay of *Caribaco*, names that Herrera gave to them in his "Description of the Indies." M. M. P.

6. Item: you, the said Captain Diego de Artieda, offer to transport and place in the said Province of *Costa Rica*, for its settlement and the sustenance of the people you shall take for the exploration and settlement, one thousand cows and fifteen hundred sheep, five hundred pigs and goats, one hundred horses and mares—all within the first three years following, which shall begin to run and be counted from the first day of your arrival in the said Province of *Costa Rica*; one-third the first year, another third the second year and the remainder in the third year, so that at the end of the said three years you shall have brought in all the said animals; which must be under the inspection and approval of our officials of the said province, and each year you shall send proof to our Council of the Indies as to how you have carried it out.

7. Item: you offer that, within the said three years next following the day of your arrival in the said province, you will endeavor and do all that is possible on your part to maintain in peace, and subject of obedience to us all the Province of *Costa Rica* and the people thereof, and that during that period you will have settled the said three cities, accordingly, in the manner, and in the locations, above mentioned.

8. Item: you offer that as far as you may be able, you will conduct and will see to it that the said exploration and pacification are conducted and made in a peaceful and Christian manner, so far as possible, in order that God, Our Lord, and We may be served, and that the desired goal may be attained.

9. Item: you offer to keep and fulfill, and you shall, keep and fulfill, and cause to be kept and fulfilled, the ordinances made and directed by us in regard to the order to be followed in the new explorations, settlements and pacifications that are to be made in our Indies, together with the instructions concerning the same and in conformity therewith which We shall direct to be given conjointly with this *capitulación*, and the other instructions, *Cédulas* and *Provisiones* that We shall give for you, and you shall obey especially that which is commanded and ordered, and which We shall order and command, to be done and kept in favor of the Indians, and for the good administration of the said provinces.

10. And in order that you shall comply with all of the foregoing you offer to obligate yourself in this Court, before a public notary, by your person and your real and personal property that you now have and shall have; and further, that before you set out upon your voyage you will give bonds, legal, full and answerable in the amount of ten thousand ducats, to the satisfaction of the members of our Council of the Indies, or of our officials of the *Casa de la Contratación* of the City of Seville, with submission to (the jurisdiction of) the officials of our said Council, in which bonds it must be provided that you shall carry out this *capitulación* and agreement and everything therein contained, and that if you shall not do so, the bondsmen will carry it out with the said ten thousand ducats, besides what you shall have expended up to the amount of the said twenty thousand ducats; with the condition, however, that if you shall die in the prosecution of the said expedition, before having completed the said exploration, settlement and pacification, or if, fighting with pirates or enemies or other matter that may chance by sea or land, you shall be defeated, neither you nor your said guarantors shall be obliged to do anything more than that which shall have been done up to that time.

11. And in order that with better will, courage and advantage to yourself and the people who shall go with you, the said exploration settlement and pacification may be carried out, and you may support yourself in that country, We make and offer to grant to you favors in the following matters:

12. First: *We give you permission and authority to explore, settle and pacify the said Province of Costa Rica and the other lands and provinces that are included within it, that is, from the North Sea to that of the South in latitude; and in longitude, from the boundaries of Nicaragua, on the side of Nicoya, straight forward to the Valleys of Chiriquí, as far as the Province of Veragua, on the South side; and on that of the North, from the mouth of the Desaguadero, which is on the side of Nicaragua, all along the territory as far as the Province of Veragua; and We grant to you the government and Captaincy-General of the said Province of Costa Rica and of all the other lands that are included therein as aforesaid, for all the days of your life, and of a son or heir or person who shall be named by you, together with a sal-*

ary of two thousand ducats in each year, payable in the products and revenues that shall belong to us in the said province; provided that if there are none We shall not be obliged to pay any of the said salary; and for this We will command the title be given you and the necessary commission.

13. Item: We grant to you the office of *Alguazil mayor* of the said Province of *Costa Rica*, for one life and that of a son, heir or the successor whom you may appoint, with the authority to you, and to the said successor, to appoint and discharge the *alguaziles* of the places that are settled and that shall be settled.

14. And since, from those parts of the said Province of *Costa Rica* where you are to settle and reside, it is a long distance to the Province of *Nicoya*, and it is desirable that there should be a person who can administer our justice and assist you in that which may be desirable and necessary, We give you authority to appoint in the last named province a capable person and who is suitable, who shall be your deputy, with as many *maravedis* of salary in each year as have usually been given to the *Corregidores* or *Alcaldes mayores* who have been in the said province; and you shall at once advise us how much the said salary is and from what it is paid. And since the Province of *Nicaragua*, which adjoins the said Province of *Costa Rica* (as We are informed) may help and assist you to make the said exploration more easily for yourself and those who go with you, We deem it well in order to show you more favor, to grant you the administration of the said Province of *Nicaragua* and *Nicoya*, for the term of four years next following, and for such further time as shall be our pleasure, which shall run and be counted from the time of your arrival in the said province and shall have taken possession thereof, with the salary that has been received by, and We have directed to be given to, those who have been Governors of the said Province, payable out of that from which they were paid, provided it does not exceed one thousand ducats in each year:—for which We shall direct a title to be issued and a formal *Provisión*, and so that you may get the said salary as soon as you shall embark to undertake your voyage at either of the said ports of San Lúcar or Cádiz.

13. Item: We give you permission so that you may be able to transport from these our Kingdoms and Lordships to *Costa Rica*,

and to no other place whatsoever, twenty negro slaves for the service of your person and house and for whatever may be most desirable to be done in the said province, free from all imposts that may belong to us thereupon, provided that they are registered in the usual manner, for which We shall direct our *Cédula* to be given in due form.

16. Item: We give you license and authority, so that in each year, and for such time as shall be our pleasure, there may go from these our Kingdoms to the said Province of *Costa Rica*, and not to any other part of our Indies whatever, two ships loaded with arms, supplies and all the things necessary for the people who shall be in the said province and for the work of the mines thereof, free from customs imposts which may belong to us thereon in the said Indies; provided they proceed upon their voyage in care of one of the fleets that shall go to *New Spain* or the Province of *Tierra Firme*, or when permission may be given thereunto by us.

17. Item: We grant to you, and to those who may go with you upon the said exploration, exemption from all customs imposts that may belong to us on all they shall carry and do carry on this first voyage for your houses and subsistence; and We command that neither from you nor from them shall any demand be made for the said imposts.

18. Item: We grant to you, the said Captain Diego de Artieda, or your son, or the person who shall succeed to your government in the said province of *Costa Rica*, and to the persons who may go with you to settle and shall settle in the said province, that from the gold, silver, pearls and precious stones that they shall obtain therein, you shall not pay us, nor shall they pay us, for a period of ten years, more than only one-tenth, instead of the one-fifth that belongs to us therefrom.

19. Item: We grant to you and to your successor, and to the said settlers and explorers, for the period of twenty years, exemption from paying the excise (*alcabala*) that shall be due to us in the said province; and We command that during that period it shall not be asked nor demanded of you or of them.

20. Item: We grant to the said settlers, upon all that they import for the provisioning of their houses during the period of ten years, and to you, and your said successors, upon what you

shall import for your use, that, for the period of twenty years, there shall not be demanded nor collected from you, or from the said settlers, any of the custom imposts that belong to us in those regions.

21. Item: We make you the grant of two fisheries, one of pearls and the other of fish, which you shall select in the said Province of *Costa Rica*, for you and your successors perpetually; provided it is not to the prejudice of the Indians, or of any other third party; and provided you shall observe the laws and regulations given, and that shall be given, concerning pearl fisheries.

22. Item: We give to you permission and authority to allot the distribution (*encomendar los repartimientos*) of Indians that are, or that may become unappropriated, in the districts of the cities of Spaniards which were established in the said province, for the term of two lives, and in the districts of the cities that you shall establish anew, for three lives, leaving the ports and chief places for us.

23. Item: We give you permission and authority so that to the persons that may go with you for the said exploration and pacification and that shall assist you therein and to their children and descendants, you shall be able to give plots of ground and lands for pasture, cultivation and farms, and so that those who shall have settled and resided thereon for a period of five years may hold them in perpetuity; and as to those who shall have made and established sugar-mills and shall keep and maintain them, no execution shall be levied thereon, nor upon the slaves, machinery or equipment with which they are operated.

24. Item: We give permission to you, and to your said son or successor in the said government, so that in the said province, in those parts that are the most suitable for its guarding and protection, you shall be able to erect two fortresses, and when they are built and maintained, We grant to you, and to your successors, the lieutenancy thereof in perpetuity, with a salary of one hundred thousand *maravedis* for each one, which must be paid to you and to the said successors from the funds that belong to us in the said province, and there being none, We shall not be obligated thereunto, nor shall the Kings that may come after us be obligated to order to be paid to you, or to your successors, anything whatever.

25. Item: We give you permission so that you may be able to

select and take for yourself, for a period of two lives, an allotment (*repartimiento*) of Indians, from the districts of each town of Spaniards that has been, or which shall be, settled in the said select and take for yourself, for a period of two lives, an allotment you have the advantage of giving that one up and taking another that may be vacant; and further permission in order that you shall be able to give and distribute to your legitimate and illegitimate children parcels of land, tracts of lands and estates; and in order that you shall be able to have the allotments of Indians which you shall have taken in order to leave them to your eldest son and divide them between him and the other legitimate sons, and among your illegitimate children if there are none legitimate; provided that each allotment shall go wholly to the child that it shall be designated for, without dividing it; and provided further, that, if you shall die and shall leave a legitimate wife, there shall be applied to her the law of succession in regard to the Indians.

26. Item: We give you permission, so that, if you now have or in future shall have, Indians allotted (*encomendados*) in another province, you may be able to enjoy the benefits therefrom, although you do not reside in the neighborhood to which you are or shall be assigned; provided you install there an esquire who shall take your place in that jurisdiction; and We command that this being done they shall not be able to remove or take the said Indians away from you.

27. Item: We give you permission and authority, and to your said successors in the said government, that you may have marks or dies and use them in the Spanish towns that are settled and that shall be settled, to mark the gold, silver and other metals.

28. Item: We give you permission and authority so that, if there are no officials of our Treasury provided by us for the said province, you shall be able to appoint them and give them authority to conduct their offices, until We shall designate such officials and those so designated arrive to serve therein.

29. Item: We give permission and authority to you, and to your said successor, so that if there should occur in the said province an insurrection or disturbance against the service of Our Lord and ourselves, you can draw from our Treasurer, with the

consent of our said officials thereof, or the greater part of them, that which shall be needed to repress said insurrection.

30. Item: We give you permission and authority, and to your said successor, so that for the administration of the country and the working of the mines you shall be able to issue ordinances; provided they are not contrary to law and what has been ordered by us; and provided farther that they may be confirmed by us within two years; in the meantime you shall have power to compel their observance.

31. Item: We give you permission, so that you can divide the said Province of *Costa Rica*, and the other provinces that are comprised in the said exploration and settlement, into districts of *Alcaldías mayores*, and *Corregimientos* and *Alcaldías ordinarias*, in such places that shall be selected by the (municipal) councils.

32. Item: We deem it well, and it is our will, that you, and your successor as aforesaid, shall have civil and criminal jurisdiction in the said province to hear appeals from the Deputy Governor and from the *Alcaldes mayores*, *Corregidores* and *Alcaldes ordinarios*, in matters which do not have to go before the (municipal) councils.

33. Item: We concede to you, and We desire and command that if within the limits of the government and exploration of the said Province of *Costa Rica* an *Adelantado* or any judge has been provided, then as soon as you shall arrive in the said province and shall provide others, the former shall give up their offices and not exercise further jurisdiction, but shall depart from the said government, unless after giving up the said offices and their jurisdiction, they shall desire to become domiciled in the territory and remain therein as settlers.

34. Item: We give you permission so that you may provide jointly with the (municipal) councils thereof, communal lands, and watering places for cattle, roads and paths for the towns that are newly settled.

35. Item: We give you permission in order that you may appoint aldermen and other public officials in the towns that shall be newly settled, unless they are appointed by us; provided that within four years those that you shall designate receive our confirmation and shall be newly appointed by us.

36. In order that you shall be able to obtain and to raise in

these said Kingdoms the said two hundred men which, in conformity with this contract, you are to transport to the said Province of *Costa Rica*, and in order to appoint Captains, Camp-masters and the other necessary officers, so that they can raise their colours and sound their fifes and drums and proclaim the expedition publicly, without those who may desire to go thither suffering any exaction, We command that our *Provisión* shall at once be delivered to you, in order that the *Corregidores* and justices of the places where the said people are enlisted shall not offer any impediment or hindrance, but rather aid and favor the enrollment thereof, and in order that the people that shall agree to go with them shall not be prevented from so doing, even though they have committed faults for which they should be punished, provided no one be present to demand punishment; and also in order that they (the *Corregidores* and Judges) may cause lodgings and necessary supplies to be furnished at just and moderate prices, according to the current prices in each place.

37. Also We will command our *Cédula* to be given to you, in order that those who shall have agreed to go on the said exploration, shall obey you, and shall not withdraw or refuse obedience to you, or go upon any other expedition without your permission, under pain of death.

38. Item: We shall command our *Cédulas* to be given to you so that our officials of the *Casa de la Contratación* of the City of Seville may favor you, accommodate and aid you in your preparations for your voyage, and that they do not demand from you any inquest, or from the said two hundred men that you are thus to transport to the said settlement; and you will be on your guard and endeavor that they shall be proper people and not those prohibited from going to those countries.

39. Also, We shall command that if, on your fulfillment of the said contract, you are impeached, there shall be taken into consideration how you have served, in order to see whether you are to be suspended from the exercise of your jurisdiction or retained therein, and the same as to your said successor during the time of the impeachment.

40. Item: We promise you that if you, the said Captain Artieda, shall fulfill this agreement and *capitulación*, as you have offered, We shall take account of your services and grant you the

favor of giving to you vassals in perpetuity and the title of Marquis or some other title.

Finally; if you, the said Captain Diego de Artieda, fulfill what is contained in this *capitulación* in the manner you have offered, and the instruction and *Provisiones* We shall give to you, and shall hereafter command to be given, for the said province and the said settlement thereof, and for the good treatment, conversion and teaching of the Indians, by these presents We promise and assure you upon our faith and our Royal word, that what is promised to you in our behalf We shall command to be kept and fulfilled, and that contrary thereto nothing whatever shall be permitted nor allowed; provided that if you shall not have complied with that which you have promised as aforesaid, We shall not be obliged to command that any of the foregoing be kept with you, but rather We shall command that you be punished and that you be proceeded against as a person who does not observe or fulfill the orders of his King and natural Lord; and for your guaranty We command these presents to be given to you, signed with our hand and countersigned by Antonio de Eraso, our Secretary, and delivered by the members of our said Council of the Indies.

Dated at El Pardo, the first of December, one thousand five hundred and seventy-three.

I, THE KING.

Countersigned by Antonio de Eraso.

Signed by the President, Juan de Ovando, Licentiate Castro, Don Gómez Zapata, Licentiates Betello, Otálora, Gasca, Gamboa, Doctor Santillán and Licentiate Espadero.

Title of Governor and Captain General of the Province of Costa Rica for Captain Diego de Artieda, and for a Son or Heir or Person Whom He Shall Appoint. Doc. 63

ARANJUEZ, February 18, 1574.¹

DON PHILIP, by the Grace of God, King of Castile, of León, of Aragón, etc.

Considering, the satisfaction We have in you, Captain Diego de Artieda, and the services you have rendered and the desire

¹ Archives of the Indies. Shelf 100. Compartment 1, Bundle 18. Fernández, V, 67.

you have to continue and to increase our Royal Crown of Castile, We have directed that there be made with you a contract and agreement and *capitulación* concerning the exploration, settlement and pacification of the Province of *Costa Rica*, in which said contract there is a clause of the tenor following:

"First: *We give you permission and authority so that you can explore, settle and pacify the said Province of Costa Rica and the other lands and provinces that are included within it, that is, from the North Sea to the South Sea in latitude; and in longitude, from the boundaries of Nicaragua, on the side of Nicoya, straight forward to the valleys of Chiriquí, as far as the Province of Veragua, on the South side; and on that of the North, from the mouths of the Desaguadero, which is on the side of Nicaragua, all along the territory as far as the Province of Veragua;* and We grant to you the government and the Captaincy-General of the said Province of *Costa Rica*, and of all the other lands that, as stated, are included therein, for all the days of your life, and the life of a son or heir, or person who shall be named by you, with a salary of two thousand ducats in each year, payable in the profits and revenues that shall belong to us in said province; provided that if there are none, We shall not be obliged to pay any of the said salary; and for this We will command the title to be given you and the necessary commission.

Therefore; keeping and complying with the said contract and the clause which is above incorporated, by these presents it is our pleasure and will that from now and from this time forward, during the whole of your life, *you shall be our Governor and Captain-General of the said Province of Costa Rica, and of the other lands and provinces which are included within it; that is, from the North Sea to the South Sea in latitude; and in longitude, from the boundaries of Nicaragua, on the side of Nicoya, straight forward to the valleys of Chiriquí, as far as the Province of Veragua, on the South side; and on that of the North, from the mouth of the Desaguadero, which is on the side of Nicaragua, all along the territory, as far as the Province of Veragua; and*

that after your death the said government and Captaincy-General may be held by your son or heir, or the person that you shall appoint therefor, accordingly, as, and in the manner that, you shall have held and may hold the same; and they may hold the administration of our civil and criminal justice, with the judicial offices that shall be in the said Province of *Costa Rica* and territories and settlement as herein above declared; and by this our letter We command the councils, justices, aldermen, knights, esquires, officials and good men of all the cities, towns and places which in the said province, territory and settlement may be, and are, specified, and also our officials and other persons who reside, and shall in the future reside, therein, that as soon as they shall be thereunto required by this our letter, without any further delay whatsoever, or consultations, or awaiting any further letter or command from us, or a second or third order, that they take and receive from you, the said Captain Diego de Artieda, and after you from your said son, or heir, or person whom you shall appoint, the oath and formality which in such case is required and should be observed, which, having been given by you and taken by them, they shall have, receive and hold you for our Governor and Captain-General of the said Province of *Costa Rica* and settlement thereof; and they shall allow and consent that you and they conduct and discharge freely the said offices and fulfill and execute our justice by yourself and by your *Alcaldes* and deputies, and by their deputies, each of whom you and they can discharge and remove whenever desirable for our service and the execution of our justice, and substitute others in their place; and hear and determine all suits and causes, both civil as well as criminal, which shall arise in the said province and territories herein-before mentioned, and in villages already settled or that shall be settled hereafter, both between the people and natives that are therein, and the people who shall settle it anew.

And you and your said son, or heir, or person whom you shall designate for the said government, and your said *Alcaldes* and deputies, shall have power to collect the fees annexed and pertaining to said offices; and to make any inquiry whatever in legal cases and all other matters annexed to or concerning the said offices. And in order that you may conduct and exercise the said offices and fulfill and execute our justice, all should submit to

you, in their persons and property, and show, and cause to be shown, to you all the favor and assistance that you shall ask of them, and of which you shall have need, and in everything respect you and obey and fulfill your commands and those of your deputies; and neither in this, nor in any part thereof shall any impediment or hindrance whatsoever be placed or allowed to be placed; because We, by these presents, receive you and hold you as received in the said offices, and in the conduct and exercise thereof; and We give to you, and to your said son, or heir, or person whom you shall appoint, and to your said deputies and theirs, power and authority to conduct and exercise them, in case that by any of them you be not received.

And by this our letter, We command each and every person who holds or shall hold the emblems of our justice in the said province and territories that as soon as they shall be thereunto required by you, the said Diego de Artieda, they shall give them up and deliver them to you, and make no further use of them without our license and special mandate, and, after you, to your son, or heir, or person whom you shall designate, under the penalties which apply to and are incurred by persons who act in public and Royal offices without any authority therefor, and We, by these presents, suspend them and hold them as suspended.

And, further: You shall execute, and cause to be executed and turned over and delivered to the Treasurer of the said province, all the fines belonging to our Chamber and Treasury, which are imposed by you and your Alcaldes and deputies.

And further: We command that if you, the said Captain Diego de Artieda, and after you the person who succeeds in the said government, shall consider it to be requisite for our service and the execution of our justice, that any person whatsoever, who now are, or who shall hereafter be in the said province and territories, shall depart therefrom and no longer remain, or enter, therein, but shall come and present themselves before us, you shall have power, on our behalf, and you may, compel them to depart, conformably with the *pragmática* (decree) which relates thereto, giving to the person you shall so banish the reason why he is banished; and if it seems desirable to you that this action should be secret, you shall give the process to him under cover and sealed,

and you shall, by another way, send to us a duplicate in order that We may be advised thereof; but you are warned that when you shall undertake to banish anyone, it may not be without very great cause, for which, as stated, and for the conduct of the said offices, We give you full power, with all its incidences and dependences, annexes and connexes.

And it is our pleasure, and We command that, with the said Government and Captaincy-General you shall have and receive, in each year, the salary of two thousand ducats of three hundred and seventy-five *maravedis* each, which salary you are to enjoy from the day that you set sail from the port of San Lúcar de Barrameda or the city of Cádiz, in order to proceed upon your voyage, and for all the time that you shall hold the said government; and We direct our officials of said Province of *Costa Rica*, and the territories thereof, to give and pay to you the said salary, in each year, from the revenues and benefits that shall in any manner pertain to us in the said province and government, and if there are no revenues nor benefits, We shall not be obliged to direct anything to be paid to you therefrom; and We deem proper, and We command that this salary shall be had and received, with the said government and Captaincy-General, by your said son, or heir, or person whom you shall appoint, or who shall succeed, to the said office, and that the said salary shall be enjoyed from the day that such person shall begin to conduct and exercise the said offices, thenceforward during all the time that they shall serve therein.

And our said officials shall take your receipts and theirs, with which, and with the transcript of this our *Provisión*, signed by a public notary, I command that they be received and passed in account in accordance with what they shall give and pay. And neither the one nor the other shall do otherwise in any manner.

Done in Aranjuez, the eighteenth of February, one thousand five hundred and seventy-four.

I, THE KING.

I, Antonio de Eraso, Secretary of His Catholic Majesty, having caused the foregoing to be written by His order.

The Licentiate Otálora. The Licentiate Gamboa. The Dr.

Gómez de Santillán. The Licentiate Alonso Martínez Espadero.
The Licentiate Don G. de Zúñiga.

Registered: OCHOA DE LUYANDO.

By Chancellor: ANTONIO DÍAZ DE NAVARRETE.

- Doc. 64 Summary Description of the Kingdom of Tierra Firme,
Called Castilla del Oro, Which is Subject to the Royal
Audiencia of the City of Panama, by Dr. Alonso Criado
de Castilla, Senior Judge Thereof.

NOMBRE DE DIOS, May 7, 1575¹

YOUR CATHOLIC ROYAL MAJESTY:

The territory that is settled in this Kingdom, as far as the jurisdiction of your Royal Audiencia of *Panama* extends, is eighty leagues in length, that is, from the Gulf of *San Miguel* as far as *Concepción de Veragua*, and twenty-four leagues in width, that is, from the same city of *Concepción* to *Philipina*. The city of *Concepción* is situated a half league from the North Sea; and that of *Philipina* is located on the South Sea, and the portion of this Kingdom which has the least width is that extending from the city of *Nombre de Dios*, a port on the North Sea, to the city of *Panama*, a port on the South Sea, which is twelve leagues, although by the King's highway (*camino real*) it is eighteen, on account of the windings from the roughness of the country. This distance of the said eighty leagues is traversed and traded over by the dwellers in this Kingdom, but the rest of the territory which is contiguous to it is still to be conquered from the warlike Indians who inhabit it.

This area of inhabited territory is divided into two parts: one the Province of *Veragua*, which has a district thirty leagues in length, extending from the said city of *Concepción* as far as the village of *Meriato*, and in width twenty leagues in its greatest extent, which is from the *River Calobre* as far as the said city of *Concepción*.

In this province the settled places are: the said city of *Concepción*, which is the principal one, and the one where the office

¹ Archives of the Indies. Shelf 69. Compartment 2. Bundle 21. Peralta, C. R. *Nic. y Pan.*, p. 527.

of the Royal Treasury is located, and where your Governor and the officials of your Royal Treasury reside. It is made up of thirty families, who have negroes engaged in taking out gold and, distributed in gangs, there are usually fifty or sixty men, and there are as many as thirty-five or forty dwellings. Three leagues further on from this place are the headquarters of the mines, called the *River Santiago del Turluri*, where they take out the gold, and where the negro miners are. This place has more than thirty houses; they have churches and a priest who says mass at the expense of the masters of these negroes. Twelve leagues from these headquarters there is another city, which is called *Santa Fé*, and which was the first settlement at the time of the discovery of this province. It has thirty families, who make their living by selling their cattle to the people of the mines for their subsistence. The founder of these two cities was Francisco Vázquez, the first Governor and discoverer of this province, and a native of Badajoz. Twenty leagues beyond the city of *Santa Fé* there is another place called *Philipina*, which was settled by Alonso Vaca, who was born in this country. It has twenty families, who are supported by the maize given to them by the Indians who are there, which Indians are few and poor, and not well subdued. The said Governor Vaca distributed them among families of *Philipina*. Five leagues from the said place of *Philipina*, by Sea, and twenty by land, there is another settlement, which is called *Meriato*. It is not organized as a town, but there are in it seven or eight families, with fifty negroes taking out gold.

This province is administered by a Governor provided by Your Majesty, who lives in the city of *Concepción*, and to whom appeals are taken from the *Alcaldes ordinarios* of the said places.

All this country is very mountainous and rough, and it cannot be travelled over on horseback, but only on foot. It rains the greater part of the year, excessively, so that the rivers overflow, and in such fashion that they have twice carried away the city of *Concepción*. The trees are very high and thick, and there are no prairies or level lands. To build houses it is necessary to cut down the trees that were there. It has many large rivers of fresh water and good to drink. There is very little game in the mountains and one very seldom sees birds. The climate of the country

is very humid and at the same time hot, except in *Santa Fé*, which, being in a very high place, is cold, and all this province is unhealthy. The men who live there turn very yellow in color and their feet are swollen, and of this many die. Still, the gold is taken out of this country, although of no very great quantity, is very fine, being of twenty-two carats and one grain, which is only one grain less than the standard. Such, in brief, is the Province of *Veragua*.

The other and second part of this Kingdom, is the one properly called *Tierra Firme*, the capital of which is the City of *Panama*, where resides Your Royal Audiencia and its President and Judges, and where the Cathedral Church is located. The location of this city is on the shore of the South Sea. It has four hundred houses, and although they are of wood, they are very well constructed, and in them dwell five hundred families, and there are usually present about eight hundred men, more or less. The people are very polite, all Spanish, and the greater part of them from the city of Seville. They are a people of good understanding, and their business is dealing and trading, except fifteen or twenty of the families who work the fields and live on the cattle and estates that they have. The greater part of the people are wealthy, although a few have come to need by reason of the excessive cost and prices of things, and the good style of living they maintain for their persons and dwellings.

In this town the people are not very permanently settled, being on the highway from Spain to Peru. The city has much business and commerce, both in things from Spain and in those from Peru, being between the two Seas of the North and South, and very convenient for trade.

It has good cleared fields and many fertile meadows, and an abundance of herbage, but they are not cultivated for lack of people, those that are there not being inclined to work thereon. They are breeding beef cattle in abundance but no other animals. For their estates the inhabitants of *Panama* also have droves of mules, and barques with slaves to man them. The barques go from the City of *Nombre de Dios* to carry the merchandise that comes in the fleets from Spain by the *Chagres* river to the house they call *Cruces*, which is a store-house where they place and assemble the merchandise. This house belongs to the City of

Panama. In it are rooms that they rent to the merchants, each one for half a peso per day. The distance from *Nombre de Dios* to the mouth of the said *Chagres* river is eighteen leagues by sea, and by land it is not possible to travel by reason of the rough and difficult mountains and forests of that country; and from the mouth of the said *Chagres* river to the house of *Cruces*, where the barques come, is eighteen leagues; and from the said house by land, to the City of *Panama* it is six. To the mouth of this river the pirates generally go to rob the said barques, and they have done much damage. The trains of mules, which are many and high in price, serve to transport merchandise and passengers from the city of *Nombre de Dios* and from the said house of *Cruces* to *Panama*.

At the location of the said house of *Cruces* there could be established a settlement, and it would be very convenient, especially for the cultivation of maize and planting other things for the maintenance of the people who go up the river and meet at the said house.

This river is large and very pleasant, with very fresh and clear water and its banks are very shady by reason of the many trees that are on them. Near the city, on the side where the land is not cleared, the mountain begins, which is so covered with forest that it is not possible to go by it without cutting the branches, which are interwoven and very thick, so that the run-away slaves find it a very convenient place wherein to hide and defend themselves, and it often happens that, without being perceived, they arrive at the city along the side that borders the mountain, and there make captives of the negroes found there.

It has good water, although rather distant; but near the city is a small stream with which it is served, although the water is not very healthful. There are three monasteries of friars, though not very full; these are San Francisco, Sancto Domingo and La Merced. The oldest is La Merced, where five or six friars reside; then comes San Francisco which has seven or eight, and the newest is Sancto Domingo, which has three or four. These houses are very poor, and are maintained by the alms of the city. There is a hospital, which is the help of the country, and here the sick poor, usually more than sixty, are gathered in order to be cured of all diseases. It is supported by alms that the resi-

dents give, for the revenue it has, although it amounts to one thousand six hundred *pesos*, is very small, since it expends more than six thousand. There is great care for the comfort of the poor, for besides the service and administration that it has, the President and Judges and the *Alcaldes* and Aldermen, and the principal people of the city are present daily in their turn at the said hospital to see to the treatment and the needs of the poor people, which results in much benefit; with greater care more may be cured.

The Cathedral Church is the only one there is; it is a very fine temple, although made of wood. The dignitaries who assist the Most Reverend Bishop in its ministry, and are there at present, are the Dean and Precentor and a Canon. The tenths and revenue of the Holy Church and the others of this district that belong to the said Bishop and dignitaries are set forth in a statement in detail at the end of this description.

The city is much troubled by the runaway negroes who go about in the mountains, being divided into troops and having a negro king, whom they all obey and by whom they are governed. They run about the mountains naked, having generally as arms very long and strong bows, with sharp pointed arrows, and long spears, darts and *machetes*, but they do not use any herbs or other poisons for their arrows, because they do not know about them. They have no arquebusses or other ingenious weapons, for, being barbarous, they have no industries for their manufacture, although there are ironworkers among them who make the irons for the spears, and arrows; and they go forth on the road to rob the mule trains of merchandise which go from *Nombre de Dios* to *Panama*. They generally kill the people they meet and commit depredations on the plantations and among the herds of cattle, where the proprietors of them do not have secure farms. but although they are at all times very troublesome, they become very dangerous when they join with French or English, with whom they are friends, making use of the industries and weapons of these strangers, whereby this city is exposed to great danger from these enemies.

The quality of the soil is very hot, being heated by the sun with great force. It is at the height of nine degrees. The days and nights are equal, there being only a difference of about three

quarters of an hour in the summertime, which extends from December through April.

The nights are cool, and the sky is very serene and clear; winter extends over the other months of the year; the nights are very cloudy, and it rains with heavy storms of thunder and lightning. It is a sickly territory, though not so much so as that of *Veragua*. The badness of the air corrupts everything, so that even iron is consumed and is destroyed. Wheat is not grown at all in this country, but they bring flour from *Peru*; the country abounds with mountain game and other birds.

On the coast of the Sea, next to the houses where Your Royal Audiencia resides, is the Port where the ships and small boats gathered to get ready, for from it they cannot get out loaded, not having enough water to get out, and because also, when it is low tide, which is twice daily, the water recedes more than a league, leaving the ships and boats high and dry, so that if they were loaded they would not be able to remain afloat. For this reason all the large ships are gathered and loaded at another port, well-sheltered and quiet, two leagues from this city on an island which port they call *Perico*, and where there usually come more than forty ships each year from *Peru* and *Nicaragua*.

At fifteen leagues distance from this city, there are more than fifteen islands which they call *Las Perlas* (Pearl Islands), where, through their slaves, some residents of this city make a business of gathering pearls in quantity. At five leagues from *Panama* is the Island *Otoque*, and at three leagues that of *Taboga*, where some residents of *Panama* are engaged in cultivation and agriculture, planting and gathering maize.

Eighteen leagues from the city of *Panama* is that of *Nombre de Dios*, the seaport on the North Sea where all the fleets and ships that come from Spain take shelter. It is not a very safe port, and is very dangerous when the North winds blow, many vessels having been lost at such times, including one entire fleet, as happened in the year seventy-five, the General of the fleet being Aguayo, and during the past year three galleons and two ships have been lost.

There are in that town two hundred houses, all of which are not occupied by their masters, except at times when a fleet is there, when they go to buy and receive their supplies; the rest

of the year there will be present as many as fifty families. It is a very unhealthy country, being partly surrounded on the land side by thickly wooded mountains that shut it in, so that many people from the Spanish fleet die there, on account of which it is called a graveyard of Spaniards. It rains the greater part of the year and the sky is nearly always overcast, while the heat is excessive.

That town is much troubled by pirates from the North Sea and the wild slaves from the land.

The church is a very good one and very capacious, and there is a poor monastery of Dominican friars. It has a hospital, although not so well provided as it should be, to take care of the many sick people that are brought there; it has very little revenue, but it is assisted by the alms of the residents.

Thirty leagues from the city of *Panama* there is another small city they call *Natá*, for the government of which Your Royal Audiencia provides an *Alcalde mayor*. It has sixty families, who live by the cultivation of the soil and the breeding of animals, and are in fact laborers like those of Castile. It is a pleasant place, well located and with fertile fields.

Three leagues beyond the city of *Natá* are two villages of Indians; one is called *Ola* and the other the *New Town of the Kings of Chirú* (*Pueblo Nuevo de los Reyes de Chirú*). Each one has more than a hundred Indians, and they are not allotted, but are free, paying for Your Majesty's service the tenths from the cattle they raise and the maize that they gather. They are governed by an Indian from among themselves selected by the city of *Natá*, and if they are not satisfied with him they apply to your Royal Audiencia and it selects another.

Nine leagues from the said place of *Natá* is another town of Spaniards called *Villa de los Santos*, which was recently settled by those that are now in it. It has fifty families of laborers, who take the maize and the cattle that they raise to the city of *Panama*, for they gather each year more than thirty thousand *fanegas* of maize. They enjoy good water and fields.

A half league from this place is a village of Indians, which is called *Cubita*, where there are ninety or a hundred Indians, like the others, free and poor. They occupy themselves in cultivating maize and raising cattle.

There is also another village of Indians six leagues from *Panama*, which they call *Chepo*. It has a hundred and thirty families of Indians, with its Chief and seven or eight Spaniards. These Indians are also free like the others mentioned, and each village has its Church and its priest who teaches them. They serve Your Majesty with the tenths which are collected from them.

The persons for labor and service are all negroes, for there are none of the white people who will serve, nor will they work, for which cause the number of negroes who are in the Kingdom is very great. A special computation of them shows the following:

DISTRICT OF PANAMA.

In the City of <i>Panama</i> , one thousand six hundred negroes for service.....	1,600.
At labor in the vegetable gardens of the city, one hundred and two.....	102.
In the mule trains that travel the road from <i>Cruces</i> and <i>Nombre de Dios</i> , four hundred and one.....	401.
The free negroes and negresses, three hundred.....	300.
Those who are in the <i>Pearl Islands</i> and those who work at clearing, three hundred and sixty-three.....	363.
With the cattle herds, one hundred and fifty.....	150.
In the mountains and saw-mills, where they get out timber, one hundred and ninety-three.....	193.
The negroes and negresses who are in the mountains exceed two thousand five hundred.....	2,500.
	<hr/>
	5,609.

DISTRICT OF NOMBRE DE DIOS.

In the City of <i>Nombre de Dios</i> there are twenty-five boats that carry clothing to the <i>Chagres</i> river, with five hundred negroes.....	500.
For service, employed by all the families of the town, five hundred	500.
	<hr/>
	1,000.

IN THE PROVINCE OF VERAGUA.

In the City of <i>Concepción</i> , of this province, in the mines, one thousand two hundred.....	1,200.
Those that serve the miners and the masters of them, three hundred	300.
In the City of <i>Santa Fé</i> , thirty.....	30.
In <i>Meriato</i> , which is in this government.....	40.
	<hr/>
	1,570.

IN THE DISTRICT OF NATÁ.

In the City of <i>Natá</i> and engaged in its work, one hun- dred and fifty	150.
In the new town of <i>Los Santos</i> , and in the fields where they raise maize, three hundred.....	300.
	<hr/>
	450

So that, altogether the said negroes who are in this Kingdom of *Tierra Firme* number eight thousand, six hundred and twenty-nine (8,629).

STATEMENT OF THE VALUE OF ALL THE TITHES (TENTHS) OF
THIS BISHOPRIC OF PANAMA AND PROVINCE OF VERAGUA, AND
HOW THEY ARE DISTRIBUTED.*Panama.*

In the year seventy-four they were worth one thousand three hundred and ninety-five *pesos* of assayed silver; distributed into four parts. One quarter belongs to the Bishop of this Kingdom; another quarter belongs to the Chapter.

The other two parts are divided into nine portions, which are called "ninths," whereof four belong to the Curates of this Holy Church, who are the Dean and Precentor and two Canons, who being poor are Curates.

Two-ninths are for the building of this Holy Church.

One-ninth belongs to the hospital of this city.

The two-ninths that remain to make up the nine, are for Your Majesty and alms have been given with them; to this Holy Church one-ninth and a half; to the hospital the other half ninth;

—so that this Holy Church enjoys three-ninths and a half and the Curates four, as stated, being nine altogether.

Natá.

The tithes of *Natá* and its territory are worth two thousand and five hundred *pesos* of assayed metal.

They are distributed into four parts: one-quarter to the said Bishop.

One-quarter to the Cathedral Chapter.

The other two parts are divided into ninths.

Four of these belong to the Curate who resides at *Natá*.

Three and a half go to the building of the Church of *Natá*.

One-ninth and a half to the Hospital of the City of *Natá*, because the two-ninths belong to Your Majesty and are given to the said Church and Hospital of *Natá* in the same way that they are given in Panama.

Nombre de Dios.

The tenths of *Nombre de Dios* have not been paid for three years because there was no one to attend to it; they are accustomed to collect two hundred *pesos*, sometimes more or less.

They are divided into four parts: one part for the said Bishop.

One part for the Chapter of *Panama*.

The other parts the Royal officials collect and out of them provide from the treasury of Your Majesty one hundred thousand *maravedís* which are given to the Curate and Vicar of the said city, each one receiving fifty thousand *maravedís* from your Royal treasury, for which there is a *Cédula*.

Sancta Fee de Veragua.

The tithes of *Sancta Fee* have amounted to three hundred *pesos* of gold. These tithes are divided into four parts by agreement with the said Bishop and the residents of the city.

One-quarter goes to the said Bishop.

Another to the Chapter of *Panama*.

The other two parts that remain are given to the Curate who

serves in the said city, and the rest of his salary is paid by the residents.

The church is sustained by alms and by a cattle road that is allotted to it, leading to the mines. There is no hospital.

City of Philipina.

The tithes of *Philipina* are worth two hundred *pesos* assayed.

They are divided into four parts, in the way that is stated as to *Santa Fé*.

La Concepción de Veragua.

This city and mines have no tithes. They sustain two churches, one in the city and one at the said mines, and two priests that are there, for whom the negroes dig on six principal holidays, as the Bishop permitted the negroes to dig for gold for this purpose.

DR. ALONSO CRIADO DE CASTILLA.

Doc. 65 Royal Cédula, to the Audiencia of Guatemala for the Conquest and Settlement of Taguzgalpa.

MADRID, February 10, 1576.¹

THE KING.

To the President and Judges of our Royal Audiencia which sits in the city of *Santiago* of the Province of *Guatemala*:

On behalf of Captain Diego López, a resident of the city of *Trujillo* in the Province of *Honduras*, a statement has been made to us, setting forth that it is desirable and very necessary for the service of God, our Lord, and ourselves, that there shall be conquered and settled by Spaniards the Province of *Taguzgalpa*, also called *Nue Cartago*, which is in the said Province (of *Honduras*), and in which for many years the city called *Elgueta* was settled but was afterwards abandoned, being unable to maintain itself on account of the great strength of the natives; and that We being pleased to direct the said settlement to be entrusted to him, he would offer to do it within four years, and at his own cost, the same grants to be made to him that were directed to be made to the Captain Diego de Artieda,

¹ Archives of the Indies at Seville. Shelf 100. Compartment 1. Bundle 9. Peralta, *Costa Rica y Costa de Mosquitos*, p. 15. Paris, 1898.

to whom We entrusted the exploration and settlement of the Province of *Costa Rica*;

And the foregoing having been considered and discussed in our Council of the Indies, it was resolved that We ought to direct this *Cédula* to be given, and We have approved the same; and We command you that, as soon as you shall see this, you shall make an agreement with the said Captain Diego López concerning the said settlement, in accordance with the Instructions and Ordinances for new settlements; and the said *capitulación* having been made, you shall before its execution is undertaken, send it to us with your opinion, addressed to our said Council, in order that it may be therein considered and such provision made as may be desirable.

Dated at Madrid, February 10, 1576.

I, THE KING.

By command of His Majesty.

ANTONIO DE ERASSO.

Royal Cédula, to the Audiencia of Guatemala, Directing It to Ascertain in What Government the Guaymí River, Bocas del Drago and Almirante Bay are Located, and to Adjudicate the Same to the Government to Which They Belong. Doc. 66

SAN LORENZO, August 30, 1576.¹

THE KING.

To the President and Judges of our Royal Audiencia, which resides in the City of *Santiago* of the Province of *Guatimala*;

On the part of Diego de Artieda, whom We have entrusted with the exploration, pacification and settlement of the Province of *Costa Rica*, a statement has been made to us that, by virtue of the agreement We ordered to be made with him concerning the said exploration, he desired to settle on the *Guaymí* river, which is in the *Bocas del Drago* and *Almirante Bay*, near *Concepción de Veragua*, which is within the bounds of the said Province of *Costa Rica*; but that he did not settle there because he was notified

¹ *Ubi supra*. *Costa Rica*. Royal Orders and Resolutions addressed to the authorities (*Reales órdenes dirigidas á las autoridades*). Years 1565 to 1602. Fernández, V, p. 84.

on behalf of the Governor of the said Province of *Veragua* that he should not do so, on the ground that the said *Guaymí river* falls within the government of the said Province of *Veragua*, which is contrary to the fact, it being very well known that the said *Guaymí river* and *Bocas del Drago* and *Almirante Bay* are the same thing and are included in the said Government of *Costa Rica*, and that the jurisdiction of the said Government of *Veragua* does not pass beyond where it is settled, towards the West, as has been shown by all the reports and as has appeared by certain inquests and testimony presented before our Royal Council of the Indies, praying us, in order to put an end to doubts and disagreements, that We should command to be declared what our pleasure is as to what should be kept and complied with therein :— or otherwise as may be our pleasure.

And being considered by our said Council (of the Indies), and the said documents herein above mentioned, it was determined that We ought to direct this Cédula to be given to you; and I have approved; and I command you, that as soon as you see it you shall cite and call before you the said Diego de Artieda, or his successor in the government of the said Province of *Costa Rica*, and the Governor of the said Province of *Veragua*, and you shall see the agreements, capitulaciones and titles that each one may have, and you shall make enquiries of persons of experience as to the districts and boundaries of the said two governments and their limits.

And this being done, and this Cédula considered, you will ascertain and determine within what district and demarcation lies the *Guaymí river*, the *Almirante Bay* and *Bocas del Drago*, and you shall adjudicate and appropriate it to the government under which you shall ascertain that it lies, in order that the Governor of the Province to whom it may belong, and within which it may lie, may settle it and may hold it as the borders of his government, and so rule and govern it by virtue of the order that shall be had from us; and of what you shall do you shall send us at once a statement, addressed to our said Council.

Dated at Sanct Lorenzo el Real, August 30, 1576.

I, THE KING.

Countersigned by ANTONIO DE ERASO, signed by the Council.

Approved: JOÁN DE LEDESMA.

Act of Foundation of the City of Artieda in the Valley of the Guaymí. Doc. 67

DECEMBER 8, 1577.¹

In the name of the Most Holy Trinity, the Father, Son and Holy Ghost, three persons in one single true God, Amen:

The very illustrious Lord, Diego de Artieda Cherinos, Governor and Captain General for His Majesty for the Provinces of *Costa Rica*, *Nicaragua* and *Nicoya*, in the presence of me, the notary and the witnesses herein below written, says:

That whereas, in fulfillment of the agreement with His Majesty concerning the settlement and pacification of the Province of *Costa Rica*, he set out from the City of Granada with ships and a force of armed men, and came direct to *Bocas del Drago* and *Almirante Bay*,² and that not finding a suitable place wherein to make a settlement, he came to the main land; that on the day of the Immaculate Conception he discovered a river which, with his people and men at arms, he ascended for two and a half leagues.

That finding a good place, he fixed his camp, and, in accord with his captains and soldiers he said that he, in the name of His Majesty, wished to found one of the cities he had been directed to establish, but tentatively, and with the protestation that if he found a better site he would change it thereto; and so he said that, in the name of His Royal Majesty, and by virtue of what had been agreed, he was founding and had founded on the bank of the said river a city named the City of *Artieda* of the *New Kingdom of Navarre* (*la ciudad de Artieda del Nuevo Reino de Navarra*). And he gave to the river the name of *Our Lady of the O of the Valley of Guaymí* (*Nuestra Señora de la O del Valle del Guaymí*), Province of *Costa Rica*, of which said city, river and valley, in conformity with the agreement with His Majesty, he was taking and he had taken possession; and as a sign of actual possession, the greater part of the soldiers of the

¹ *Ubi supra*. Patronato. Simancas. New Spain. Discoveries, descriptions and settlements of this Kingdom (*Descubrimientos, descripciones y poblaciones de este Reino*). Years 1527 to 1638. Fernández, V, p. 91.

² He refers to the islands of Almirante Bay.

said expedition being present, he took a sword in his hand and upon a tree standing at the place where he has located the plaza he gave four cuts in the form of a cross, saying: "In the name of the Father, of the Son and of the Holy Ghost," and continuing, he said to the soldiers who were present, that to all those who wished parcels of land thereon to domicile themselves in the said city he was ready to give them, so that they might enjoy the advantages that His Majesty gives to the settlers of the said province.

And he asked me, the present notary, to give him a certificate of the foregoing, the witnesses being Padre Fray Diego de Molina, vicar, Juan de Espinosa, Diego de Cárata, Francisco Pavón and many other persons, and he signed it with his name.

DIEGO DE ARTIEDA.

Before me, Juan González Delgado, notary.

And I, the said Juan González Delgado, notary of the Government of this said city and public notary of the Municipal Council thereof, was present as stated, accordingly as mention is made of me therein, and I wrote it, in faith of which I signed my name and accustomed flourish, which is, etc.

In testimony whereof,

JUAN GONZÁLEZ DELGADO,

Notary.

(Various flourishes.)

Doc. 68

Act of Taking Possession of the Valley of Guaymí.

ARTIEDA, March 5, 1578.¹

On the fifth day of the month of March, in the year one thousand five hundred and seventy-eight, in the presence of me, Andrés Villegas, notary appointed for the purposes hereinafter mentioned, the very magnificent Señor Captain Francisco Pavón, representing the very illustrious Señor Diego de Artieda Chirinos, Governor and Captain-General of the Provinces of *Costa Rica*, *Nicaragua* and *Nicoya*, and in virtue of the power he has from the latter for the purposes hereinafter set forth, executed before Juan González Delgado, notary of the government and public

¹ Archives of the Indies. Patronato. Simancas. New Spain. Discoveries. Years 1527 to 1638. Fernández, V, p. 93.

notary of the city of *Artieda*, Province of *Costa Rica*, Indies of the Ocean Sea, on the twenty-third day of the month of February last of this present year, said:

That while the said Governor was engaged in settling the said city of *Artieda*, of the *New Kingdom of Navarre*, upon the *Guaymí* river, Province of *Costa Rica*, he sent him up the river with men from the garrison to see and explore the nature of the territory, and to see what natives there were therein, and anything else touching the settlement and pacification of this province.

That in compliance therewith he went up the river, about nine leagues, more or less, and he found there a valley that had a great quantity of *pejibais*² and maize-fields belonging to the natives of said province, as well as some huts and cabins of the said natives: that in said valley, and on both banks of the river, and in the presence of three native Indians that came out to him peacefully, he declared that in the name of H. M. and of the said Governor he was taking possession, and did take possession, in the best legal manner and form.

That to the said valley he gave the name of the Valley of *Pejibais* and of *Valderroncal*, the possession of which, he said, he was taking, and took, for the Province of *Costa Rica*, and as a sign thereof he took a sword in his hand and made three cuts upon a tree, in the form of a cross, saying: "In the name of the Father, and of the Son and of the Holy Ghost."

And he asked me, the present notary, to give him a certification thereof. The witnesses who were present and signed were: The Camp-Master Tomás de Barahona and Diego de Zárate, *Alcalde Ordinario*, and Lucas Alonso and Pedro de Abendaño, Sergeant Major, and many other persons, all residents of the said city of *Artieda*; and the said Captain signed it with his name.

FRANCISCO PAVÓN.

Before me: Andrés Villegas, notary appointed.

And I, the said Andrés Villegas, notary aforesaid, was present at the foregoing, and I transcribed and signed it, with my accustomed flourish, as aforesaid.

In testimony of its truth:

ANDRÉS VILLEGAS,

(A flourish.)

Notary Appointed.

² Guilielma utilis.

Doc. 69 Royal Cédulas Concerning the Government of Diego de Artieda.

BADAJOS, June 3, 1580.¹

THE KING.

To Diego de Artieda, our Governor and Captain General of the Provinces of *Costa Rica*, *Nicaragua* and *Nicoya*:

The letter that you wrote to us on the twenty-eighth of March of the past year of seventy-nine, was received, and being desirous of knowing the events of your voyage and what befel the people that you took with you, We were glad to learn by your letter that you had prospered, although the hardships you said you had endured We believe postponed the execution of what you had in charge; but since you may be free of them by this time and you know how important the pacification and settlement of that Province of *Costa Rica* is to the service of God, Our Lord, We charge you to prosecute it with great diligence and industry; and of all the things which you say are found in that country you will send us specimens at the first opportunity, and of your service We will take account in order to grant to you rewards.

As to the rest that is contained in your letter, We have directed that such provision shall be made as seems desirable.

From Badajoz, June 3, 1580.

I, THE KING.

Countersigned and noted by the said persons.

To the Audiencia of Guatemala, directing it to report why it arrested Captain Artieda, Governor of Costa Rica, and prevented him from forwarding to the Council of the Indies the accounting he took to Alonso de Anguciana.

THE KING.

To the President and Judges of our Royal Audiencia, which sits in the City of *Santiago*, of the Province of *Guatemala*:

We are informed that Captain Artieda, whom We appointed

¹ *Ubi supra*. Registers. Costa Rica. Royal Orders, etc., 1565 to 1602. Peralta, C. R., *Nic. y Pan.*, p. 602.

as our Governor of the Province of *Nicaragua* and *Costa Rica*, entered therein and made certain settlements at *Bocas del Drago*, whereupon you had him arrested and brought to that city; that his innocence and the malice of those who accused him, against whom many offences were proved, having been made apparent, you failed to punish them because of the favor that they enjoyed with you, and you refused to assist the said Captain Artieda; and that he, having taken an accounting from Alonso de Anguciana and desiring to send it before us, as he was commanded to do, you issued a *Provisión* in order that it should be taken to your Audiencia in the first instance; that by his accounting it appears that the said Anguciana, and his officers, committed unjustly many murders of Indians and many acts of violence and robbery; that he took a *Cacique* who was under our Royal Crown and ransomed him for a large sum in gold; and that he caused the death of a Spaniard who was called Andrés Pérez Negrete, who was Sergeant Major in that province; but, because he was a relative of one of you, the said accounting remained in your Audiencia without being sent to our Council of the Indies to be there considered and adjudicated; wherefore, because We desire to be informed of all that happened in the matter aforesaid, We command that at once when you receive this our *Cédula* you shall inform us of all these matters, in order that after examining them, We shall provide what shall be most desirable for Our service.

Dated at Badajoz, the third of June, 1580.

I, THE KING.

Countersigned and signed by the said persons.

Doc. 70 **Capitulación With Don Fernando de la Cueva, Concerning the Prosecution of the Exploration, Pacification and Settlement of the Province of Costa Rica.**

MADRID, December 29, 1593.¹

DON PHILIP, ETC.

Whereas, it being my desire that the part of the Province of *Costa Rica* which still remains to be explored, pacified and settled, may be pacified and settled, and that the natives may come to the true faith and that the Gospel may be preached to them, and the rest of the province to be explored may be preserved and improved;

You, Don Fernando de la Cueva, resident of the city of *Santiago*, in the Province of *Guatemala*, have sent to me a relation, stating that your father and ancestors have served me for a long time in these and in those parts; that you also had done so when occasion had offered; that you were well informed as to *Costa Rica*, and that you have offered to prosecute such exploration, pacification and settlement; and it having been considered and discussed by the members of my Council of the Indies, and in consultation with my Royal Person, I have commanded that there shall be made with you, for the said purpose, the following agreement and *Capitulación*:

First: you, the said Don Fernando de la Cueva, offer to maintain and preserve that which is settled in said province of *Costa Rica* and to explore, pacify and settle that which remains therein to be explored; pacified and settled, and at your own cost, using the men that are there, without anything being given to you from my treasury therefor.

Also, you offer that within four years, counted from the day that you shall arrive in the said Province of *Costa Rica*, you will settle and establish a city in the location, and on the site, most desirable to be found in the parts you are to explore, pacify and settle.

Item: you offer to keep and fulfill, and cause to be kept and fulfilled, the ordinances that are made concerning the way in

¹ Audiencia of Guatemala. Registers. Costa Rica. Royal Orders of 1565 to 1602. Peralta, C. R., *Nic. y Pan.*, p. 648.

which the explorations, pacifications and settlements are to be made in the Indies, and particularly the instructions in relation thereto which shall be delivered with this *Capitulación* and the other instructions, *Cédulas* and *Provisiones* which shall hereafter be given.

And for your compliance with all of the aforesaid, you offer also to obligate yourself by your person and your real and personal estate, by a public document executed before a notary.

In order that you may be able with more convenience to make the said pacification and settlement, I make and offer to make to you the following grant:

First: it is my will that you shall have the government of the said Province of *Costa Rica* for the period of twelve years and the said *Alcaldía mayor* for eight, as it was held by Diego de Artieda Chirino, which said time shall run and be counted from the day that you shall take possession of the said office, both with the same salaries that the said Diego de Artieda received and the persons have that have served, and do serve, in the said offices; I will order that you be given a title thereto.

* * * * *

Done in Madrid, the twenty-ninth day of December, 1593.

I, THE KING.

By direction of the King, our Lord, Juan de Ibarra, and noted and signed by the Council.

Royal Cédula Concerning the Conquest of the Indians of Coclé, in the Province of Veragua, which Borders on the Province of Costa Rica.

Doc. 71

SAN LORENZO, May 31, 1600.¹

THE KING.

To the President and Judges of my Royal Audiencia of the city of *Panama*, in the Province of *Tierra Firme*:

Among other things that have been brought to my knowledge upon the subject of the settlement and the preservation of that

¹ General Archives of the Indies. Shelf 109. Compartment 1. Bundles 1 and 4. Fernández, V, p. 102.

territory and Province of *Veragua*, and the working of its mines, it is said that it is very desirable to pacify and subject the warlike Indians who inhabit the mountains of *Coclé*, situated *between the Chagre river and the Escudo de Veragua*, as well as to lead them to a true knowledge of God, in order to be able to safely exploit the said mines of *Veragua*, which are rich in gold, to prevent the relations which the said Indians have with pirates and to avoid the inconveniences which will result from the establishment of the latter in two very good ports which are in the district occupied by the Indians, and further, because it is known that in the said district there is more gold than in the mines of *Veragua*.

And it has also been recommended that this pacification should be confided to Captain Pedro de Montilla Añasco, who knows the said country, and that aid in money be given him for this purpose. And wishing to know in a detailed way more about this matter, who are the Indians of the mountains of *Coclé*, what sort of territory they inhabit, whether they contribute or have contributed to prevent the working of the mines in the said Province of *Veragua*, the advantage to be gained in pacifying that territory, what will have to be done for that purpose, whether it will be desirable to execute an agreement with Captain Montilla or with some one else on the subject of said pacification, what conditions should be granted to him, what sum of money will be needed for it, at what time it can be done, and what funds are available therefor belonging to the Province of *Veragua*, I direct you to send to me a report, at the first opportunity, and also your opinion, after you are informed of everything and have well considered it.

Done at San Lorenzo, the last day of May, in the year one thousand, six hundred.

I, THE KING.

Countersigned by Juan de Ibarra, and signed by the Council.

Foundation of the City of Santiago de Talamanca.

Doc. 72

CAMP OF VICEITA, October 10, 1605.¹

I, Francisco de Arrieta, to all who shall see these presents, certify and declare it to be true, that in the book of the *Cabildo* (Municipal Council) of this city of *Talamanca*, in the Valley of the *Duy*, are contained the documents concerning its establishment, which are literally of the tenor following:

In the Camp of *Viseita*, Province of *Ateo*, Valley of *Duy*, on Monday, at nine o'clock of the day, more or less, counting ten days of the month of October of the year one thousand six hundred and five:

The Captain, Don Diego de Sojo y Peñaranda, deputy of the Captain-General for His Majesty in this Province of *Costa Rica*, in the presence of me, the undersigned notary, stated that:

By favor of Juan de Ocón y Trillo, Governor and Captain-General of this said Province of *Costa Rica*, he was commissioned and ordered to make the conquest and pacification of all the villages and provinces of Indians in what is called the *Tierra Adentro*, belonging to this government, and which are to be conquered; and a commission was given to him directing that if after having made the said conquest and pacification, it should appear to be necessary and desirable for the preservation of that which was thus conquered and pacified, that a settlement of Spaniards should be made having the rank of town or city, then this should be done, all of which is more fully set forth in the commission referred to.

After considering said commission and the documents that have been made concerning the said conquest and pacification, and other things, it appears and seems to be necessary and desirable for the service of God, Our Lord, and of His Majesty, to make a settlement of Spaniards in the location where this Camp is now situated, in order the better to preserve the peace and the quiet to which the native Indians have been brought in the Provinces of *Ateo*, *Viceita*, *Quequexque*, *Térrebes*, *Usabarú*,

¹ Archives of the Indies. Shelf 64. Compartment 5. Bundle 11. Fernández, V, p. 116.

Munagua, Xicagua, Sucaque, Cabécara, which are those which have been conquered and pacified;

And in order that the natives thereof may be the better catechized, taught and made industrious in the matters of our Holy Catholic Faith, and that they may come to a true knowledge thereof, I say that, executing the said commission and complying with its tenor, and in the form and way that is most lawful, in the name of the King, Our Master, I founded and settled upon the present site of this said Camp a settlement of Spaniards, with the rank and designation of a city, and with the name of the city of *Santiago de Talamanca*, so that such city may be called by its said name and may have, hold, and enjoy all the favors and exemptions, prerogatives and immunities which His Majesty, the King, Our Master, has conceded and granted to cities that are newly settled in these his kingdoms and lordships of the Indies, which said foundation and settlement of a city I state was made on the site, and with the laying off of a plaza and streets and building lots for houses, shown on the plan which has been made thereof, and which is attached to this document, together with the number of inhabitants which appear signed at the foot of the document provided by him for this purpose, the same being those who, with zeal to serve God, Our Lord, and His Majesty have desired and do desire of their own will to domicile themselves in the said city of *Santiago de Talamanca*, which is thus newly settled in his Royal name; to all of these, in the name of His Majesty, he makes a grant of the plots of ground upon which their names are written in the said plan of said city, so that as such residents they may build their dwelling houses thereon and may have and hold them as their own in ownership, unless His Majesty may otherwise provide and direct:

And in the name of the King, Our Master, and in virtue of the commission that he holds thereunto for the good administration of the said city and the government thereof, he appointed Captain Pedro de Flores as an *Alcalde ordinario*, and the Sergeant Martín de Beleño, and Nicolás de Rodas and Simón Sánchez and Juan de Arroyo as Aldermen, declaring the said Sergeant Martín de Beleño as the senior of such Aldermen in order that, as such, his should be the first vote and the second that of Nicolás de

Rodas, and in this order of seniority the other Aldermen proceed as they were appointed;

And Diego de Sosa was appointed as public notary and notary of the Municipal Council of the said city; and to the said *Alcalde ordinario*, and to the Aldermen and notary aforesaid, he said that, in the name of the King, he gave and did give, power and authority in the form required by law, so that each one should be able to use, exercise and fulfill the duties of the position to which he was appointed, during the remainder of the present year of one thousand six hundred and five, and that, on the arrival of the first day of the new year of one thousand six hundred and six, they shall meet in the Municipal Council in the form and manner that His Majesty may have ordered and directed; and being thus met they may elect two *Alcaldes ordinarios* and two of the *Hermandad*, and four or more Aldermen as shall seem to be desirable for the good administration of the state; and an *Alguazil mayor*, an Attorney and a *Mayordomo* of the city.

And he ordered and directed that this order be kept and carried out in making the elections of officials of the city in every year until His Majesty, or whoever had the right in his Royal name, could or should otherwise provide or direct, always having care, in making the elections, not to exceed the number of the officials of the state beyond what was required for its good administration and the number of the inhabitants the said city might have;

And that the said *Alcaldes* and Aldermen and notary, appointed as aforesaid, are to appear before him and give the solemn oath they should give, to well and faithfully exercise the offices to which each one of them was elected; and this being done they are to be received therein, and all of the inhabitants and dwellers who are in and reside in said city of *Santiago de Talamanca* shall have and hold, respect and obey the said Captain Pedro de Flores as such *Alcalde ordinario*, and, as such Aldermen, public notary and members of the Municipal Council, the said Sergeant Martín de Beleño, Nicolás de Rodas, Simón Sánchez de Guido and Juan de Araya and Diego de Sosa, respectively, under penalty that the one who shall not do so shall be punished with great severity;

And that this document, and foundation of the said city, and the sketch of its form and plan, and the document above cited,

provided in this matter, shall be placed in the book of the Municipal Council, which has been made, this document being at the head of it, and then the said document cited, and the plan of the city shall be placed therein; and when there shall be a greater number of inhabitants, the authority of *Alguazil Mayor* shall be exercised among the four Aldermen appointed, the oldest Alderman exercising the office of *Alguazil mayor* three times, and the other Aldermen succeeding in this order; and so he provided, commanded and signed his name.

DON DIEGO DE SOJO.

Before me: Francisco de Arrieta, notary appointed.

Further he said:

That considering that it is convenient and necessary for the common benefit and utility of the inhabitants of the said city of *Santiago de Talamanca* to designate public lands and jurisdiction, he stated:

That in the name of the King, Our Master, and in the way and form that it can and should be best made, he designated and appointed as public lands (commons) of the said city a square of a half league in the neighborhood thereof, and he indicated for it and gave to it for jurisdiction *in latitude all the territory and district that there is from the summit of the Cordillera to the North Sea, and in longitude, from the River Tarire and the ford that is crossed going from the said city to the Province of Tariaca, all the territory that runs to the East, which is the length of it as far as the ESCUDO DE VERAGUA, which is the end that separates this government from that of Veragua;*

And he declared that if it should appear to be necessary, with the lapse of time, to settle within the districts indicated for jurisdiction of the said city or town, there can be given for its jurisdiction, to the new city that may be founded, the portion that shall be deemed proper by the said Governor and Captain-General Don Juan de Ocón y Trillo, and that in everything which concerns the aforesaid it shall be more or less as he shall command;

And so he provided and signed on the said day, month and year aforesaid, etc.

DON DIEGO DE SOJO.

Before me: Francisco de Arrieta, notary appointed.

And thereupon, immediately, at the said hour, month and year aforesaid, the said deputy of the Captain-General, being in the public plaza which is indicated on the plan drawn of the said city, and there being present all of the inhabitants who signed the said document above referred to whereby it was founded and settled, and, besides these, soldiers and persons in other their company, there appeared before him Captain Pedro Flores, *Alcalde ordinario*, and Sergeant Sánchez de Guido and Juan de Araya, Aldermen, and Diego de Sosa, public notary and notary of the Municipal Council of the said city, who in the name of His Majesty, in conformity with the document aforesaid, were appointed to the said offices, of which said *Alcalde ordinario*, Aldermen and notary, he took and received the oath by God, Our Lord, and they made a sign of the cross with the fingers of their right hands;

And having sworn in due form and said, "So, I swear, and amen," that they, the said *Alcalde*, Aldermen and notary would discharge their offices well and fully in everything that was possible, and that they would maintain this newly settled city in obedience to His Majesty and in his service, and in peace and justice with the neighbors thereof, and that they would not abandon it or consent that it should be abandoned or deserted, by its inhabitants, but rather that if its abandonment should be attempted they would punish it with great severity, and in everything would seek the increase and preservation of the said city.

The said deputy then said that he held them as installed in the use and exercise of the said offices, and with his own hand he delivered and gave to Captain Pedro de Flores in the name of His Majesty, an emblematic staff of justice in order that he might administer it in this said city and its jurisdiction, as the *Alcalde ordinario* thereof, which he is; and to the Sergeant Martín de Beleño, as the oldest Alderman, the staff of *Alguazil mayor*; and in the said plaza he caused to be erected a cross, as a sign of the possession which he took of the said city and its jurisdiction, and of the native Indians thereof, in the name of the King, our Master; and at one side of the said plaza a gallows, upon which he gave three strokes with a knife, and having done this, he fixed the said knife in the said gallows, and placed thereon a rope;

And he asked the hereinafter named notary to give to him,

as evidence of these proceedings, a certified transcript of all that is contained in this document and in the others cited, placing at the head of the said transcript the commission which he holds from Don Juan de Ocón y Trillo, Governor and Captain General of these provinces of *Costa Rica*, to do all of the aforesaid in order that said transcript may be sent to His Majesty and to the members of his Royal Audiencia of *Guatemala*, and to the said Governor and Captain General; and he asked that those present be witnesses to all the aforesaid; and he signed it jointly with the said *Alcalde* and Aldermen and public notary and notary of the Municipal Council of this city.

DON DIEGO DE SOJO.

Pedro de Flores. Nicolás de Rodas. Martin de Beleño.
Simon Sánchez de Guido. Juan de Araya. Diego de Sosa.

Before me: Francisco de Arrieta, notary appointed.

In the Camp of *Viceita*, Province of *Ateo*, on the thirtieth day of the month of September, one thousand six hundred and five.

The Captain Don Diego de Sojo y Peñaranda, deputy of the Captain-General in these Provinces of *Costa Rica* for the King, our Master, in the presence of me the undersigned notary, stated that:

Whereas, he has been commissioned and directed by Don Juan de Ocón y Trillo, to punish the crimes of murder, robbery and incendiary fires, committed by the native Indians of this Province of *Viceita*, and by those of *Munagua*, against the Indians of the Province of *Tariaca* and other villages that are at peace and Christian, and whereas a commission was given to him by the said Governor and Captain-General so that if in making such punishment there should be an occasion and opportunity to pacify the said two provinces, and the rest that are at war and of the jurisdiction of his government, he should do so, and if the Indians should thus be pacified and appear in sufficient number to sustain a village, town or city of Spaniards, he should settle it in the region of the said natives who are thus pacified, and in the most suitable place that shall appear to him convenient, all of which more fully appears by the said commission to which reference is made; and

Considering the foregoing and the fact that from the documents which have been made in the prosecution of such punishment, it

is evident and appears, as a matter of public knowledge to all who reside in the said Camp, that, by his good measures and his solicitude and care in what had been done, the native Indians of the provinces and villages of the *Ateos, Viceitas, and Quequexques, Surinzas, Usabarú, Sucaques, Munaguas, Xicaguas*, had been subjected to obedience and to the service of the King, our Master, and that all the said provinces and villages of Indians above named have a sufficient number of people to be able to sustain and maintain a settlement of Spaniards of more than forty inhabitants; and that the said natives and their *Caciques* have offered, that if he, the said deputy, and the other officials and soldiers of his company, shall make a settlement, they will give them from the food they have sufficient thereof to sustain the settlement any they may make, together with such other assistance as they shall be able to render, he thereupon said:

That by authority of the said commission that was thus given to him, he ordered and directed that, by the common crier, and the sound of the drum, notice be given to all the military officers, soldiers, and other persons resident in the said Camp, how, in compliance with the tenor of the said commission, he desired in the name of the King, our Master, and as a loyal vassal, to make, under the rank of a city, a settlement on the site of the present Camp, it being the most suitable that he has thus far seen, in order that as such city it may enjoy all the franchises, prerogatives and immunities which His Majesty concedes to the cities and their residents that are newly settled in these his kingdoms and lordships in the Indies, and promised, in conformity with the commission which, as has been stated, he holds, and which was given to him by the said Governor and Captain-General, to distribute and locate the Indians who have been pacified among the persons who desire to be inhabitants of the city which shall be settled and who will maintain it when settled, which said distribution and location of Indians shall be made in a manner that shall not wrong any one who shall be settled and domiciled therein; and that with this, there will be given to such conquerors and settlers plots of ground where they can build their dwellings, and tracts of land for cultivation;

And in order that, with more activity and willingness, those in the Camp who desire to settle may hasten to do so, and that the

said settlement may be more easily sustained, he, the said deputy, personally obligated himself (and promised fulfillment) to those who shall be settled, to give them from his own fortune sufficient for the expense and cost of all they should need for their maintenance; and in order that he may know and that it may at all times appear who are the ones who desire to settle, with zeal to serve God, Our Lord, and His Majesty, so that the Indians who have been pacified by him and the rest of his company with so much labor and at the risk of losing their lives, as has been stated, may be better taught and catechized in the things of our Holy Catholic Faith and maintain themselves in peace and justice, and cease their civil wars in which they are ordinarily engaged, he provided and commanded that those who desire to settle shall sign their names at the foot of this document, and thus he has provided and commanded.

DON DIEGO DE SOJO.

Before me: Francisco de Arrieta, notary appointed.

In the Camp of *Viceita*, on the first day of the month of October, one thousand six hundred and five, before me, the undersigned, notary, the foregoing document was read and proclaimed by the voice of Juan Gallardo, public crier, and to the sound of the drum, there being gathered and congregated all the military officers and other soldiers who reside in the Camp, to all of which I certify, and to the further fact that after it had been read and the tenor of the said document explained, the said deputy, in order to give them more spirit and willingness to settle, offered to help personally in the said settlement during all of the time it should be necessary and desirable by the settlers of his company, and that he gave them power, in proper case granted before me, to enable them to dispose of his fortune at their will, without any other obligation than that they should settle, and should maintain in the name of His Majesty the settlement that should be thus made in conformity with the tenor of the said document; and that it may thus appear, I signed it with my name, the witnesses being Captain Pedro de Flores and Martín de Beleño, sergeant, Antonio Cobo, and Diego de Sosa.

FRANCISCO DE ARRIETA,
Notary Appointed.

We, who have here signed our names, state that, being zealous to serve God, Our Lord, and His Majesty, we desire to be residents and settlers of the city that Captain Don Diego de Sojo, deputy of the Captain-General, wishes to settle in his Royal name, according to the tenor of above the document, considering which it seems to us very necessary and desirable for the conversion and preservation of the natives of these provinces which we have newly assisted to conquer, and have been subjected to the service of His Majesty; and in order that it may appear and the zeal that we have to serve God, Our Lord, and His Majesty, we sign our names.

Pedro de Flores. Juan de Mesa. Martín de Beleño. Diego de Sosa. Phelipe Monge. Antonio Rodríguez. Juan de los Ríos. Juan Alonso. Diego de Acebedo. Luis de Fletes. Domingo López. Pedro Sánchez de Oviedo. Pedro Pérez. Simón Sánchez de Guido. Baltasar Gómez. Juan Gallo de Escaladas. Pablo Milanés. Alonso de Guido. Nicolás de Rodas. Juan Fernández. Francisco Rodríguez. Perafán de Ribera. Diego Fernández. Juan Estebes. Francisco Ferreto. Juan de Araya. Diego Rodríguez Picón. Juan Sánchez.

Statement of Don Juan de Ocón y Trillo, Governor of Costa Rica, in Regard to His Preparations to Defend the Jurisdiction of Talamanca Against the Pretensions of the Governor of Veragua. Doc. 73

CARTAGO, January 15, 1608.¹

In the city of *Cartago*, Province of *Costa Rica*, on the fifteenth day of the month of January, one thousand six hundred and eight, Don Juan de Ocón y Trillo, Governor and Captain-General in this Province of *Costa Rica*, for the King, our Master, says:

That, by his order and commission, Captain Don Diego de Soxo settled the city of *Santiago de Talamanca* in the Province of *Duy*, in the name of the King, our Master;

That, it being desirable for his Royal service and the increase

¹ General Archives of the Indies. Shelf 1. Compartment 1. Bundle 1-18. Fernández, V, p. 149.

of the Royal Crown, they were prosecuting the conquest and subjection of the neighboring provinces ;

That he had sent Captain Alonso de Bonilla with men and munitions to continue the conquest and pacifications of those provinces, it being very necessary for the preservation of the said city of *Talamanca* and the natives that have given their obedience to the King, our Master, that the said city should be maintained ;

That the said Captain Alonso de Bonilla has written to him that the frigate which entered the port of said city of *Talamanca*, with Captain Cristóbal de Aguilar Alfaro, came with men from the Kingdom of *Tierra Firme*, by order of the Governor of *Veragua*, to enter into the said province and Valley of *Duy* from the side of *Tierra Firme* ;

That the jurisdiction of this province, by special *Cédula* from the King, our Master, has been fixed *as far as the borders of Veragua and Almirante Bay, and it establishes as a boundary the ESCUDO DE VERAGUA* ;

That Juan Vázquez de Coronado, first discoverer of these provinces, who by order from the Royal Audiencia of *Guatemala* undertook the pacification thereof, took possession in the name of the King, our Master, in the savannas they call *Chiriqui* ;

That the Captain Francisco Pavón, deputy of the Captain Diego de Artieda, who was Governor and Captain-General of these provinces under the commission given him for this conquest by the King, our Master, settled on the river that they call GUAYMÍ, which is much farther inland than where the said city of *Talamanca* is located.

That, according to public report in this city, and the statement made by those who have come from *Talamanca*, the purpose of the said Alfaro is to settle on the *River Estrella*,² which is near said city and within the jurisdiction of this province, where many years ago possession was taken, for this province, in the name of the King, our Master ;

And because it is desirable for his Royal service to defend it until the King, our Master, is informed and in his Royal Audiencia of *Santiago de Guatemala*, so that he may provide in the

² Called to-day Changuinola.

matter as he may be pleased; and because he (Ocón y Trillo) is continuing the said pacification in order that the results may be secured which are expected for the service of the King, our Master; therefore, he, the said Ocón y Trillo, has communicated with persons of experience as to the way in which he should defend the jurisdiction of this province, and they have advised him that it is desirable that a number of men go out, with the necessary supplies for such defense, and march into the interior until they meet the men of the said Governor of *Veragua* and there make their summons to them, and that then, if it be necessary, possession be again taken in the name of the King, our Master, of that which they may have conquered in this way, and that they shall stop there and give notice to him (Ocón y Trillo), in order that he may transmit it to the Members of the Royal Audiencias of *Panama* and *Santiago de Guatemala*, to which he commands news relating thereto be sent at once, and orders that an inquest be made of the number of Indians that the said Alfaro took from this province and concealed in his frigate, and that it be done by his deputy of *Talamanca*;

Therefore, to carry out the aforesaid, it has seemed desirable to send help from this city to that of *Talamanca*, which has few men in order to make the said expedition, and that some remain in the city for its defense, and that there shall go on this occasion the idle ones who lie in this city, who have no occupation, and he orders a list of them to be made, and that they be notified to be ready in four days from now, and he will provide all that is necessary for them which they do not have, so that they may go and serve the King, our Master; and it is proclaimed as to the other persons who shall desire to go on this occasion to serve the King, our Master, that he will give them the same and grant other favors in his Royal name; and thus he provided.

DON JUAN OCÓN Y TRILLO.

Before me: Gerónimo Phelipe, public notary.

Which said transcript he caused to be made and I took the same from the original which remains in my possession and with which I corrected it and made it agree; and by command of the said

Governor and Captain General I gave these presents in the city of *Cartago*, on the fifteenth of January, one thousand six hundred and eight; and the witnesses were, Francisco Román and Pedro Ruiz.

DON JUAN DE OCÓN Y TRILLO.

In testimony of the truth I affix my mark.

GERÓNIMO PHELIPE,
Public Notary.

Doc. 74 Letter of the President of the Audiencia of Guatemala to His Majesty.

GUATEMALA, November 30, 1608.¹

SEÑOR:

* * * * *

The exploration and the pacification of the Province of *Manché*, near that of *Verapaz*, is making good progress and new people are daily being discovered in that region, where many natives are being subjected and baptised under the care of the Friars of the Order of Santo Domingo, as Your Majesty will observe by the documents and papers which, as I have said, I will send to Your Majesty; and this is what is being done in the two conquests that are being carried on by the efforts of the soldiers of the celestial militia, of whom the Apostle speaks;

And as regards what is being done by the "earthly soldiers," as the jurisconsult calls the armed militia, I have ordered another and third campaign of conquest, this time against the provinces, peopled by heathen Indians, that have been newly discovered in the neighborhood of that of *Costa Rica*. Notwithstanding the report I made to Your Majesty of what I undertook in that territory, stating that I had some years before appointed, as Captain, the Adelantado Don Gonzalo Vázquez de Coronado and that he had been suspended, it appears that some eight months ago news was received, by papers and letters from the said Adelantado, that

¹ General Archives of the Indies. Shelf 63. Compartment 6. Bundle 12. Fernández, V, p. 152.

in the interior and upon the coast of the North Sea, which is spoken of as the *Bay of Almirante*, various provinces of heathen Indians had been explored, and that these were very rich in gold, for all that territory is gold-bearing which borders upon that of *Veragua* of the district of the Royal Audiencia of *Panama*;

So that when the said Adelantado proposed to me that I should so arrange as that he might go back and undertake again such exploration, on account of the new events and discoveries in those new provinces (of which discoveries positive news has been received that they are rich as I have said, and very thickly populated), it did not appear to me outside the service of Your Majesty to take up anew the said conquest and pacification, which the said Adelantado proposed to engage in at his own cost; for in such undertakings Your Majesty does not risk anything from your Royal Treasury, nor is anything done contrary to the service of God, or of Your Majesty, but rather great increase, not only for the benefit of said Royal Treasury, but in the honor of your Royal Crown and the development of these provinces, may be expected to be attained thereby from the exploration of territories and mines. Regarding these mines persons come to me with reports that some are very rich in gold and silver, while others are rich in quicksilver and in valuable stones, and I accept them in the Royal name very cheerfully and give them a good reception, showing them favor, because, if they do not achieve any success, nothing is lost, while it may happen that there is a great gain, especially when it was proposed by such a person and one so acceptable throughout the whole of that province of *Costa Rica*, as the said Adelantado, who desires to expend all his fortune and is eager to signalize himself in the service of Your Majesty, observing before everything else in the conquest the Christian methods which Your Majesty commands, as I will state further on * * *

By reason of the foregoing I have again given commission to the said Adelantado, and he went back to undertake anew the old conquest, on account of the said new discovery of provinces and the reports as to territories and native Indians and the riches thereof; and inasmuch as the time set to make the entry was in November last, I presume he must have already started, taking with him, as his principal instruction, what Your Majesty has so

often charged and commanded in these conquests. * * * *

May God guard the Catholic Person of Your Majesty.

In *Guatemala*, November thirtieth, 1608.

DOCTOR ALONSO CRIADO DE CASTILLA.

- Doc. 75** Royal Cédula to the President of the Audiencia of Guatemala Concerning the Desirability of Placing the Province of Costa Rica Under the Jurisdiction of the Audiencia of Panama.

MADRID, Sept. 25, 1609.¹

THE KING.

My President of my Royal Audiencia of the Province of *Guatemala*:

I have been informed that the Province of *Costa Rica*, which is under the jurisdiction of your Audiencia, is distant therefrom more than two hundred leagues, which are travelled by land, and which the greater part of the year cannot be traversed on account of some swamps in *Nicaragua*, called *Somoto*; that it would therefore be more advantageous for the said province to be under the jurisdiction of the Audiencia of *Panama*, the navigation being, as it is, very easy from *Costa Rica* to *Panama* by means of trading vessels in which people could comfortably go for their business and legal affairs, and they would thus carry to *Panama* many supplies of which there is an abundance in *Costa Rica* and a scarcity in *Panama*, the result of which would be to supply *Panama* and enrich the residents of *Costa Rica*.

Besides, there is an open road by land from *Costa Rica* to *Panama*, which can be safely travelled, and by which many mules are taken, and it is much shorter than that which unites the former province (*Guatemala*) with *Costa Rica*.

And because I desire to have your report as to what the facts are, and whether, for the greater benefit and advantage of the said Province of *Costa Rica* and for the better administration

¹ General Archives of the Indies. Shelf 109. Compartment 1. Bundle 1 and 2. Fernández, V, p. 154.

of my justice and despatch of business and welfare of the traders, it will be desirable to make it a district of the Audiencia of *Panama*, or whether there are objections to it; if so, what they are, and why. I direct you, therefore, after having examined the matter carefully, to send me such report together with your opinion.

Dated at Madrid, September 25, 1609.

I, THE KING.

Countersigned by Gabriel de Ocaña and signed by members of the Council.

Fray Agustín de Ceballos, Provincial of the Order of San Francisco, to H. M. the King, Don Philip III, Sending Him an Account of the Description and Characteristics of the Province of Costa Rica. Doc. 76

GRANADA, March 10, 1610.¹

SEÑOR:

Being now in the exercise of the office of Provincial in the Province of *Nicaragua* and *Costa Rica*, and being desirous to comply with the duties of that office and to serve Y. M. and to help a great number of souls, I sent a Friar to your Court and I wrote of the characteristics of the Province of *Costa Rica* and of the many souls that are lost there, and the inestimable riches which stand lost to Y. M. and the facility with which they may be enjoyed.

I now repeat that statement, knowing that the Friar died in Seville, before arriving at your Court, and he may have lost his papers. I have known the country twenty-two years and live in it and understand three languages of the natives. If Y. M. would like to be satisfied with further proofs, demonstrations and clearness, as to what is contained in this memorandum, sending me an order to go to your Court, I will do it with certainty and truth, so that Y. M. may determine to help those souls and enjoy the inestimable riches that are lost there.

From *Granada*, Province of *Nicaragua*, March 10, 1610.

FRAY AGUSTÍN DE ZEVALLOS.

¹Archives of the Indies. Audiencia of Guatemala. Letters and despatches of ecclesiastical persons (*Cartas y expedientes de personas eclesiásticas*). Years 1610 to 1620. Fernández, V, p. 155.

Doc. 77 Memorial to Our Lord the King, Giving a Description and the Characteristics of the Province of Costa Rica.

YEAR 1610.¹

SEÑOR:

The Province of *Costa Rica*, end and termination of the Kingdom of *New Spain* on the eastern side and adjoining the Kingdom of *Tierra Firme*, which is *Panama* and *Cartagena*, has a length from East to West of more than one hundred and fifty leagues, including, under this name of *Costa Rica*, the whole width of land that lies between the two Seas of the North and South and with a width of at least forty leagues and up to a hundred at the most.

On the coast of the North Sea it is settled with many peoples of different nations, who live in *palenques*, which are forts built in native fashion, and who are continually on the watch and guard, fearing even their neighbors, because they are generally at war the one with the other; the cause of this is the custom of sacrificing some persons to the devil on the occasion of every new moon, and when they do not have these human offerings, to avoid sacrificing people from their own nation, they seek them among others and sacrifice those whom they capture; if they have a surplus they sell them to their neighbors for the same purpose. It is an invention of the devil that has kept them engaged in civil wars, but now with the Holy Gospel at their very doors, they are about to be released. They are a reasonable people, well disposed and white, and they wear cotton clothing very well made. Although they are given to celebrate many festivals in which they intoxicate themselves with drinks, a general fault in all the Western Indies, they are very strict in observances and very punctual in the rites and ceremonies of their religion.

They have idols and priests appointed and designated for the administration of their religion; these are wizards, to whom very often the devil gives replies in matters wherein they consult him, and they give them to the people, wherefore they are held in great veneration, it being believed that they have in them some divine

Ubi supra. Fernández, V, p. 156.

quality, as prophets who predict future events and what will happen; and they give news of what happens in other places, distant and remote from where they are. They use in their wars small spears which are easily thrown, which they cast with force and certainty. Some of them use bows and arrows, with which they are also skilfull. They are a robust people and can work hard. The chiefs have the women that they desire all in the same house, and the common people generally have one, although it is easy to increase the number, but of that one they are very jealous and often kill each other to determine which shall have sole possession. They are very obedient to what their *Caciques* order, although in some cases the execution of the command is at the risk of life.

All of this coast, which runs from the *River Tariric*² as far as the *Escudo de Veragua* and extends over a distance of more than seventy leagues, is a very pleasant country, with pure water and large rivers, and although hot it is not with such excess as to be distressing. The soil is fertile and produces to good advantage all the seeds and plants of this region, such as maize, yucas, sweet potatoes, *oyamas*,³ plantains and all kinds of fruits, the climate of the country being so advantageous that maize can be planted and gathered in every month of the year. Cacao abounds, the best in the kingdom in quality and quantity; there is much honey and wax, pitch and sarsaparilla, and hemp from which cordage is made for the ships of that coast and those that navigate on that of the South Sea.

But that which most abounds is gold; it is found in such abundance that the Christian and peaceful Indians come in to trade it in great quantities, with four kinds of merchandise which they bring:—domesticated tapirs, wild boars, liquor and beads. The tapirs are raised in their houses from the time they are very young. It is a custom among them that is much esteemed for the Indian chiefs to kill these animals at their gatherings and festivals; the usual and ordinary value placed on one tapir is twenty pesos, that being the value of the gold they give for it. The wild boars, which they call *zahinos*,⁴ are small and tame, and follow.

² The River Tariric, Tarire, Tiriri, Telire or Tiliri.

³ *Cucurbita pepo*.

⁴ *Dicotyles torquatus*.

their masters wherever they go like dogs, even though they go upon the mountains; these also are killed at the more ordinary festivals, which are not so solemn, and each boar is worth five pesos of eight reales, so that four of these is worth one tapir. The liquor is aromatic and is called *caraña*; this they get from trees of the copal species and resembles turpentine; with it they embalm dead bodies so that they will not become putrid; a calabash full of this liquor, the size of two *cuartillos*, is worth the same as a tapir, or twenty pesos. The *chaquiras*, or beads as long as little pipes, are made from shells of oysters, and a string of these, which the man who buys it takes and raising his arm as high as he can it falls to his feet, has the same value as a tapir.

And to those who bring these kinds of things are given three others, which are: slaves, Indians or women they have captured in their wars, or clothing of cotton very well made, or jewels of gold, fashioned in the forms of eagles, lizards, toads and spiders, and golden medals, plates and other articles of manufacture, which they work of all kinds, emptying into their moulds the gold melted in crucibles of clay.

And the Christian Indians who come to trade, formerly took of all these three kinds, but now they do not take slaves because the justices will not allow them to sacrifice or keep them; nor do they bring clothing because they now wear the same as the Spaniards, but only bring gold in the forms I have stated, rather low in carats because their lack of skill compels them to put in an alloy of copper in order to cast it, wherefore it is of a lower standard. But in the plates, as they do nothing more than to beat them out and flatten them, without any need for an alloy, they show the fineness of the gold, which runs above twenty-two carats. The quantity is considerable, the rivers having it in abundance, and besides this they have very rich minerals lying deep in all the mountain ridges of the Provinces of *Térrebi el Grande* and *Térrebi el Chico* (Greater *Térrebi* and Lesser *Térrebi*), which occupy more than twenty leagues of land above *Almirante Bay*, so-called because the Admiral Columbus discovered it and was there himself on this same coast of *Veragua*; this is near the *Escudo* at the distance of fifteen or twenty leagues.

But the greatest amount of gold is in the hills of *Corotapa*, on

the same bay, at the point where the *River Estrella*⁵ empties. This is a prodigious river and the richest in the world; its sands are of gold, and they are defended and guarded by a warlike nation, that lives upon its banks on the side that empties into the Sea, called the *Horobarós*.⁶ In these said hills Captain Muñoz (the Sergeant Major of Don Perafán de Ribera, who was Governor and Captain-General of *Costa Rica*) took from sepulchres of the dead, which he found a league distant in the interior, such a quantity of gold that he filled two boxes like those in which are brought nails and hardware from Castile; and greedy for more he wished to go into the interior with sixty men that he had; so leaving the two boxes buried at the foot of a Ceiba tree (silk-cotton tree), he went in to seek the dwellings of the natives, but scarcely had he gone a league when he was set upon by so many people that some of his company were wounded and they followed him down to the sea shore, and it was with difficulty and great labor that he was able to embark and make his way to his frigate, leaving his heart at the foot of the Ceiba tree, where he left the two boxes of gold, which are there up to this day.

The natives adorn themselves with pieces of gold, placing them about the neck and around their arms and legs, and with the dead are buried all the pieces they had, so that they may make use of them in the next life, for all of these people profess a belief in the immortality of the soul. And for the same purpose they bury with the Headmen all the slaves that he had, whether men or women or children, so that in the next life they can serve him as a lord.

This said coast has also many ports with good and safe anchorage, which are large, and in *Almirante Bay* and *Bocas del Drago*, and upon their shores there is an infinite quantity of the very best woods for building any kind of large or small vessels, for there is cedar, laurel, oak, balsam, and other trees known and used for such work, so that it is certain that there can be no lack of timber, even though a shipyard which can be built here should last for a thousand years; because, when the mountains near by are exhausted, the rivers can be followed up for more than forty leagues

⁵ The Changuinola River.

⁶ Zorobarós.

toward the Cordillera which divides the currents of the waters flowing to the Seas of the North and the South, they can send down the rivers rafts of timber right to the work, so there can never be any lack.

And it is also very certain that there can never be any scarcity in the means of sustenance for the people, if negroes are introduced in said shipyard; for these could tend the maize fields and plant the other things the earth produces in the greatest abundance, which will sustain as many as shall go there, even including a gang to dig for gold, with a trusty foreman, and it would be possible to supply the cost of meat and even the payments to officials, so that even if the vessels were galleons they could be built for a half less than the cost at which Your Majesty could obtain them in Spain; and the locality is very commodious, being a place to which most of the galleons come in going to *Portobelo* to take the money, and the fleets know this coast; and it will be easy to leave there the necessary things and for the heads of construction to visit and direct all that is desirable, because it is so near to *Portobelo*, being in fair weather not more than twenty hours by sea.

All the greatness of this territory is lost because the Spaniards that *Costa Rica* has are so few, and these are so much in control of the Indians already baptised and they have over them so much power, command and lordship, that an *encomendero* (allotment holder) has as many Indians allotted to him as he has slaves, all engaged in his personal service; from which it follows that, since the Indian in that province does not know any other king or prelate than his *encomendero*, there can be no teaching of the Indians nor can they be brought to know God, and all are condemned to service without there being any way to discharge the conscience of Your Majesty, and as the Governors that come to that province come poor and to make a little money, they are not judges to take up matters of appraisements, nor can they remedy this, nor conquer the territory; because those who already have their allotments in that small section which is conquered and quiet, possess farms of cattle and all the plantings and things of Castile that are cultivated there, and being a cool country, they yield in abundance, and these say that they have already shed their blood and that at the cost thereof they have secured their comfort, and

that now let others come out to conquer the rest. And as the Governors do not find it possible to bring people from abroad, all the riches of that territory, which are greater than has been given by any other territory of the Indies, remain lost and undeveloped and hidden at the gate of Castile, for as I have said, it is on the same coast of *Portobelo*, and so near.

There are other things hidden in the same country of great importance; there is no lack of fine emeralds in the Province of *Aoyac*, thirty leagues from the city of *Cartago* and in the midst of the territory, at a part that should have a width between the two Seas of seventy leagues; here there is also a hill from which the natives take fine gold and a good deal of it. Some Friars have already been located there, but at present that district is without any, for there is a great lack of Priests, it being eleven years since any were sent by Your Majesty and many have died from the difficulties and hardships of the country.

And on the South Coast, from *Caldera Bay* and *Cape Blanco*, as far as the point of *Santa Catalina*, which runs towards the coast of *Nicaragua* for a distance of more than forty leagues, there is the greatest amount of pearls and of very fine quality. I have seen many and of great value among the Indians of *Nicoya* who go to that coast to make salt, and I have also had some experience and have taken them with my own hands, but the Spanish people of this country being so poor, and of such low tastes, they have been contented with the only meat and bread, as if they were children and that is the reason that this territory has been a loss.

And although we, the Friars, might have been able to quiet some of the people here, for the Indians want us and come to see us in secret, bringing their presents of cacao and fish and other little things, yet they do not dare to admit us nor to declare themselves in any way in view of the slavery in which those are held who are already Christian and they fear they would run the same risk in letting the Spaniards come in. And thus, by helping the Christian Indians of that province, which is as if there were none therein, since none are being saved, many of the others will be pacified and therefore it is needful that Your Majesty should rigorously command a judge of your Royal Audiencia of *Guatemala* to come and set the Indians at liberty and tax them in prod-

ucts of the earth, like the other vassals of Your Majesty throughout the Indies, and to send some one from Castile with men for the purpose of making a settlement on the *River Estrella*; these can come in the galleons or fleet of *Tierra Firme*. And Your Majesty will thus begin to reap the very fruitful and abundant products that are to be gathered in this country, which holds for Your Majesty innumerable treasures; may you enjoy them many years for your greater comfort and for the increase and the welfare of your vassals, etc.

FRAY AGUSTÍN DE CEBALLOS.

Doc. 78 Inquiry Concerning the Merits and Services of Captain Pedro Flores.

CARTAGO, December 29, 1611.¹

I, Pedro Flórez, a resident of the city of *Cartago* in the Province of *Costa Rica*, for the better protection of my rights, object to the allotment of the Indians at present unallotted in the said province and of those that may become available hereafter, and especially as to eighteen or twenty Indians that are unallotted in the Province of *Cébaca*, which I conquered at my own cost and expense, and thirty Indians that have become available in the village of *Payegua* by reason of the death of María de Acuña, and nine Indians in the village of *Garabito*, and twenty Indians in the village of *Acerri* that are made available by the death of Antonio Pereyra, and in the said village another twenty Indians made available by the death of Domingo Ximénez; as to said allotments of Indians the grant thereof has been, and ought to be, made to me, in accordance with the Royal *Cédulas* of His Majesty, or to Manuel Flórez, my legitimate son, as being persons well deserving and for the following and general reasons.

The first is because I am the said Pedro Flórez, one of the first settlers of that province, and inter-married with Ysabel Xuárez, the legitimate daughter of Gaspar Delgado, who was one of the first discoverers and settlers of the said province, where he always served with his arms and horses at his own cost and expense,

¹ General Archives of the Indies. Shelf 64. Compartment 4. Bundle 5. Fernández, V, p. 165.

besides which, I, the said Pedro Flórez, continuing in the Royal service, served His Majesty as a soldier with Captain Juan de Cabral from the city of *Cartago*, exploring all the territories from the said city as far as *Boca del Drago* and the bays of *Almirante*; in this I expended my fortune and was always busy in the Royal service, not only against the heathens and Indians at war, but also upon commissions, and was also an *Alcalde ordinario*, in which position I gave a good account of myself as a loyal vassal of His Majesty. Wherefore, and also because in the city of *Talamanca* I have served continuously for more than six years, and at my own cost, in defense of the said city, where two years ago the heathen Indians killed my wife, and because further I have always given a good account of myself and I am and have been very poor and the said Manuel de Flores, my son, as well, and because His Majesty commands that meritorious persons are to be rewarded, now, therefore, I beg and petition Your Worship to grant to me the favor, in consideration of the said services which have not been rewarded, of making me a grant of said allotments, in accordance with the law of succession, or other laws by which a grant may be made to me, or to my son, who will thereby receive favor and justice.

PEDRO FLÓREZ.

In the city of *Santiago de Guatemala*, on the 11th day of the month of April, 1613 years, before His Worship the Señor Don Antonio Peraça de Ayala y Roxas, Count of Gomera, of the Council of His Majesty, Governor and Captain-General in this Province and President of the Royal Audiencia which sits in this city, the following petition was read, and as to which it was ordered:—"let it be received and filed with the memorials and documents of opponents."

FRANCISCO DE VARGAS.

Petition:

I, the Captain Pedro Flórez, a resident of this city of *Cartago*, appear before Your Honor in the manner and form best suited to my right, and state that in support of this right it would be ad-

vantageous to have an inquest as to my merits and services by means of the accompanying Interrogatories which I submit before Your Honor, and I beg and petition Your Honor to receive it as submitted, and that the witnesses who may be presented by me may be examined according to the tenor thereof, and that there may be given to me one or two copies of the declaration which the witnesses may make, and that the judicial decree of Your Honor may be made thereon; and I ask for justice.

PEDRO FLÓREZ.

The witnesses presented on the part of the Captain Pedro Flórez, a resident of the city of *Cartago*, are to be examined by the following questions:

1. Whether they know me, the said Captain Pedro Flórez, who was married and took part in the nuptial mass celebrated according to the rule of the Holy Catholic Church, with Ysabel Xuárez, legitimate daughter of Gaspar Delgado and María del Castillo, the legitimate wife of the said Gaspar Delgado, with which Ysabel Xuárez I lived as a husband, and by the said marriage I had and begat a male child, called Manuel Flórez, and had four daughters, three of whom were maidens and one was married, the eldest called Doña María de Flórez, the second Doña Catalina de Flórez de los Santos, and with this family I was a resident and settled in the new city of *Talamanca*, at my cost and expense, with my arms and horses; as to all of which let them say what they know.

2. Let them be asked the general questions required by law.

3. Whether they know that the said María del Castillo and the said Gaspar Delgado, my mother-in-law and father-in-law and the parents of the said Ysabel Xuárez, my legitimate wife, were among the first conquerors and settlers who came to this Province of *Costa Rica*, and that they settled therein and served His Majesty, to the great profit thereof, in all the matters that came up therein, with their persons, arms and horses, at their own cost and expense; let them say what they know.

4. Whether they know that I, Captain Pedro Flórez, was one of the soldiers who, under the orders of His Majesty and of the Licentiate Pedro Mallén de Rueda who was President of the Royal Audiencia of *Guatemala*, went with the Captain Juan Ca-

bral, from the city of *Cartago*, to explore the whole of the territory that lies between the said city and the *Boca del Drago* and the bays of *Almirante*, to see and discover whether there was in the said *bocas* (mouths or entrances) any suitable place wherein to transfer the site for the unloading of the fleet which was coming from the town of *Nombre de Dios*; that in the execution of this I went with the said Captain Juan Cabral, passing over the whole of the territory which lies between the city of *Cartago* and the *Boca del Drago* and Bay of *Almirante* on the shore of the North Sea; that having travelled over all of the *Bocas del Drago* and bays of *Almirante* and having entered into the River of *Guaymí*, I traversed with the soldiers the whole of the isthmus of land which lies from the North Sea to the South Sea and came out to the savannas of *Chiriquí*, in which said journey I endured much and very excessive hardships and hunger, with many other calamities and great danger from hostile Indians, the said journey having occupied me more than eight months in time; and that upon the said journey I expended a great deal of my property, on account of having done at my own cost and expense; let them say what they know.

5. Also whether they know that Don Gonzalo Vázquez de Coronado,¹ *Adelantado* of these provinces of *Costa Rica*, being Governor and Captain-General thereof, gave me his commission to enlist men, and that with these I went to the province they call *Los Votos* and into other localities, to get Indians who were retired from war and had become Christians; that I, the said Pedro Flórez, with more than twenty soldiers, and having purchased supplies, munitions, arms and other things, set out from the city of *Cartago* together with the said men, well equipped, in prosecution of the said journey; that having gone more than twenty leagues therefrom, Don Juan de Ocón y Trillo, who had then just arrived in the said government as the Governor and Captain-General, commanded me not to go on the said journey but instead to return, for which reason I failed to go upon the said journey, and that, therefore, as the expedition aforesaid was not carried out, I was left with my means quite exhausted and very poor; let them say what they know.

¹ The son of Juan Vázquez de Coronado.

6. Whether they know that Don Juan Ocón y Trillo, Governor and Captain-General of these provinces of *Costa Rica*, not being able to go personally to take the accounting of the justices and other public officials of the city of *Esparza*, appointed me, the said Captain Pedro Flórez, as his commissioned judge (*juéz de comisión*) to take the accounting of Don Gonzalo Vázquez de Coronado, who had been Governor and Captain-General, and of all his deputies and other judges and justices and public officials; and that this I did and gave a very good account of my said commission; let them say, etc.

7. Also whether they know that Don Juan Ocón y Trillo Governor and Captain-General of the provinces of *Costa Rica*, appointed me as his Captain of Infantry, so that I might enlist men in the said provinces, and under this commission I went to the island called *Cébacas*, which is more than eighty leagues from the city of *Cartago*, to repress and punish the heathen and marauding Indians who were in that island, these Indians being very warlike and doing much damage in the villages of *Quepo* under the Royal Crown and in the other settlements in what is called *Tierra Adentro*, killing therein many Indians with the greatest cruelty and capturing others for their rites and sacrifices and making them their tributaries; that all of this was clearly to be seen when I reached the said island with the other soldiers who were in my company, for we found twenty-four scalps of Indians that they had sacrificed, and one child about the age of three or four years, the eyes blinded and broken by the blows of the sacrificial rite, recently celebrated; and that I stopped this and many other evils and wrongs because I, the said Pedro Flórez, went to punish them; let them say what they know.

8. Also, whether they know that it was desirable and was a service to God, Our Lord, and to His Majesty, that I should have gone, as I did, upon the said conquest and removed the said *Cébacas* from where they were, the said *Cébacas* Indians being very hostile and warlike; and whether they know that, for fear of the said *Cébacas*, the merchants who went from the said Province of *Costa Rica* to the Kingdom of *Tierra Firme* were hindered and unable to go in safety; and that, in execution of the order by the said Governor and Captain-General, I collected together 14

Spaniards and 104 friendly Indians, having in my company a Friar of the order of San Francisco and being equipped with all that was needful in arms and munitions and the necessary supplies, all bought at my cost and expense, without His Majesty having expended anything from his Royal Treasury for the said conquest, I went with the said Spaniards and the said Indians to the said island, where I called upon the said *Cébacas* to yield to the dominion of His Majesty and to come to the true knowledge of God, Our Lord, and submit in peace, but they were unwilling to do so, and rather took up arms against us to make war and attack us; and that by reason of this I was compelled to make use of the arms I had, and seized as many as 180 of them; and that, by virtue of the commission which I had received from the said Governor and Captain-General, I carried these away and settled them in the village of *Quepo*, which is a locality where His Majesty has other Indians under the Royal Crown, a very good location, fertile and a suitable place for their instruction and teaching in the things of our Holy Catholic Faith; and that these being placed under the proprietorship of His Majesty and delivered to Juan Ramírez Palacio, who at that time was *corregidor* of the said village of *Quepo*; let them say, etc.

9. Also, whether they know that in making said journey I endured many hardships, because in making the said journey as it had to be made in order that the results expected therefrom might be secured, I was compelled to pass over untried routes, and across arms of the sea and wide rivers, which I passed over, putting my person and the other soldiers and Indians in the greatest risk of death; let them say, etc.

10. Also, whether they know that, at the time and when the said Captain Pedro Flórez reached the said Province of *Cébacas* it was about twenty-four days after the *Cébacas* Indians had entered into the settlements in what they call *Tierra Adentro* and had committed much damage therein and done many cruel things, killing Indians and capturing many of the Indians there; and that while the said *Cébacas* were returning with the booty they had seized, the said Indians, exasperated by these cruelties, gathered together and followed the said *Cébacas* in order to take away from the said *Cébacas* the booty which they were carrying off;

6. Whether they know that Don Juan Ocón y Trillo, Governor and Captain-General of these provinces of *Costa Rica*, not being able to go personally to take the accounting of the justices and other public officials of the city of *España*, appointed me, the said Captain Pedro Flórez, as his commissioned judge (*jues de comisión*) to take the accounting of Don Gonzalo Vázquez de Coronado, who had been Governor and Captain-General, and of all his deputies and other judges and justices and public officials; and that this I did and gave a very good account of my said commission; let them say, etc.

7. Also whether they know that Don Juan Ocón y Trillo Governor and Captain-General of the provinces of *Costa Rica*, appointed me as his Captain of Infantry, so that I might enlist men in the said provinces, and under this commission I went to the island called *Cébacas*, which is more than eighty leagues from the city of *Cartago*, to repress and punish the heathen and marauding Indians who were in that island, these Indians being very warlike and doing much damage in the villages of *Quepo* under the Royal Crown and in the other settlements in what is called *Tierra Adentro*, killing therein many Indians with the greatest cruelty and capturing others for their rites and sacrifices and making them their tributaries; that all of this was clearly to be seen when I reached the said island with the other soldiers who were in my company, for we found twenty-four scalps of Indians that they had sacrificed, and one child about the age of three or four years, the eyes blinded and broken by the blows of the sacrificial rite, recently celebrated; and that I stopped this and many other evils and wrongs because I, the said Pedro Flórez, went to punish them; let them say what they know.

8. Also, whether they know that it was desirable and was a service to God, Our Lord, and to His Majesty, that I should have gone, as I did, upon the said conquest and removed the said *Cébacas* from where they were, the said *Cébacas* Indians being very hostile and warlike; and whether they know that, for fear of the said *Cébacas*, the merchants who went from the said Province of *Costa Rica* to the Kingdom of *Tierra Firme* were hindered and unable to go in safety; and that, in execution of the order by the said Governor and Captain-General, I collected together 14

Spaniards and 104 friendly Indians, having in my company a Friar of the order of San Francisco and being equipped with all that was needful in arms and munitions and the necessary supplies, I bought at my cost and expense, without His Majesty having expended anything from his Royal Treasury for the said conquest, I went with the said Spaniards and the said Indians to the said island, where I called upon the said *Cébacas* to yield to the dominion of His Majesty and to come to the true knowledge of God, Our Lord, and submit in peace, but they were unwilling to do so, and rather took up arms against us to make war and attack us; and that by reason of this I was compelled to make use of the arms I had, and seized as many as 180 of them; and that, by virtue of the commission which I had received from the said Governor and Captain-General, I carried these away and settled them in the village of *Quepo*, which is a locality where His Majesty has other Indians under the Royal Crown, a very good location, fertile and a suitable place for their instruction and teaching in the things of our Holy Catholic Faith; and that these being placed under the proprietorship of His Majesty and delivered to Juan Ramírez Palacio, who at that time was *corregidor* of the said village of *Quepo*; let them say, etc.

9. Also, whether they know that in making said journey I endured many hardships, because in making the said journey as it had to be made in order that the results expected therefrom might be secured, I was compelled to pass over untried routes, and cross arms of the sea and wide rivers, which I passed over, putting my person and the other soldiers and Indians in the greatest risk of death; let them say, etc.

10. Also, whether they know that, at the time and when the said Captain Pedro Flórez reached the said Province of *Cébacas* it was about twenty-four days after the *Cébacas* Indians had entered into the settlements in what they call *Tierra Adentro* and had committed much damage therein and done many cruel things, killing Indians and capturing many of the Indians there; and that while the said *Cébacas* were returning with the booty they had seized, the said Indians, exasperated by these cruelties, gathered together and followed the said *Cébacas* in order to take away from the said *Cébacas* the booty which they were carrying off;

and that, it being seen by the said *Cébacas* that they were going to be overtaken, they killed with the greatest cruelty, all the Indian men and women, as well as the boys and the girls, whom they were carrying away as captives; and that the said Indians from the *Tierra Adentro*, having seen the very great cruelty with which their children and parents and relatives had been massacred, they took up their arms, and, seeking vengeance for these murders, they killed the principal *Cacique* and two other *Cébaca* Indians, which said death of the said *Cacique* was a matter of much importance, all of which was well known and notorious, it having been confessed by the said *Cébaca* Indians in the presence of the said soldiers of my company; let them say what they know.

11. Also, whether they know that, in consequence of the said *Moyaguas* and *Viceitas* Indians and others of that province having entered into the settlements of what they call *Tierra Adentro*, and having committed much damage and made many attacks, killing and capturing many natives therein, especially of the tribe of the *Conutabas*, the said *Conutabas* Indians brought the matter to the knowledge of Don Juan Ocón y Trillo, Governor and Captain-General of these provinces; and that he, having received information of all of the foregoing, appointed me the said Captain Pedro Flórez, as his Captain of Infantry, with commission to go and punish the guilty ones; and that, having collected some twenty-eight men together for this purpose, the said Governor and Captain-General, on being informed that in the Valley of *Duy* there was a great number of people, ordered and directed the Captain Don Diego Soxo y Peñaranda to proceed to that province, as his deputy Captain-General, with such men as he could raise; and that in said company I also went with my said men and entered with the said deputy into the said province, where I served His Majesty with my arms and horses, with great promptness upon all the occasions that presented themselves; let them say.

12. Whether they know how, as soon as I entered with the said deputy into the said province, I continued serving His Majesty very notably in the conquest and pacification thereof, attending to everything necessary therefor, not only with my person, arms and horses, but also in the support of the soldiers, giving clothing to some of them who were the most necessitous, and

assisting them with arms and munitions for the requirements of the conquest, all of which is very notorious and well known and of public talk and repute.

13. Also, whether they know that as soon as the Indians came out in peace, and the guilty ones were punished, the said deputy Don Diego de Soxo directed me to reconnoitre the whole country and to capture *Quiquigua*, who was the greatest aggressor in the murder of the *Conutabas*; and that, in the execution of this order, I set out and I overran the whole of the country as far as the highlands of *Viceita* and *Boquiras* and *Sorinsas*, from whence many Indians came out peacefully; and that, in getting them out I labored very hard and was occupied more than eighteen days, which service was of much importance and had the great result of bringing in the principal *Cacique*, called *Quirigrama*, who, before I made them come out had been unwilling to do so; and that I brought him with the other soldiers who were with me before the said deputy, by which I rendered a great service to God, our Lord, and to His Majesty; let them say what they know.

14. Also, whether they know that, as soon as the Indians came out peacefully from the said valley, and yielded to the dominion of His Majesty, the said deputy, Don Diego de Soxo, saw the advantages to be gained by founding a city there in the name of His Majesty, there being in the said province many Indians and it being fertile, with an abundance of sustenance and in wood for the building of vessels, and having a good port upon the sea, and *Dafrima*, the principal *Cacique* of *Usabarú*, having asked the said deputy that the Spaniards should make a settlement, since if it were not done greater evils would ensue and it having been seen by the said deputy that, if the said soldiers should return to this said city of *Cartago*, it would lead to further wars and contests with the hostiles, whereupon he made a speech, urging them to make a settlement; and that thus was founded the said city of *Talamanca* before the justices and municipal and other public officers; and that, as a worthy man, with capacity and ability to govern, not only in a city of Spaniards but among the natives, I was selected as an *Alcalde ordinario* to serve during the first year of the establishment of the said city; and that, it being desirable to do so, the second year of its establishment

I came back and was re-elected in the said office of *Alcalde ordinario*, so that I, the said Captain Pedro Flórez, was one of the first residents who were enrolled for the foundation of said city; let them say, etc.

15. Also, whether they know that, at the time, and when the establishment of the said city in the name of His Majesty was under discussion, many of the soldiers who had gone with me and with the said deputy were unwilling to settle there without first knowing whether there was a port upon the North Sea in connection with which they might navigate the river and engage in trade with the kingdom of *Tierra Firme*; and that this hesitation having been observed by me, I volunteered and went forth with eleven soldiers and many friendly Indians and continued until I reached the bar of the river at the coast of the sea, and, having arrived there, I made a raft and sounded the bar and returned with my men, and reported the favorable conditions surrounding the port, and that, by reason of this, the men were encouraged and founded the said city; let them say, etc.

16. Also, whether they know that, when the *Térrebe* and *Quequexque* Indians, and others of that province killed four Spaniards and were in rebellion, and it became necessary to go and punish them, Don Diego de Soxo, who was at that time deputy, asked for help from this said city to go and punish the guilty ones; and that, help having been given to him, he appointed me, the said Captain Pedro de Flórez, to undertake the said expedition, and I went in the vanguard thereof, serving His Majesty very notably and profitably with my person and arms; and that by going as I did in the vanguard, with great diligence and watchfulness, I discovered the ambush which the Indians had made, and which if it had not been discovered, would have taken us unawares and unprepared, and would have resulted in many deaths and great danger; and that, at that place, when I perceived and knew of this danger, I at once gave warning, crying out "To arms! Here is an ambush," whereupon at once the Indians seeing that they were discovered began to throw spears in great number, with the result that four Spaniards and seven Indians were badly wounded and two of the principal and friendly *Caciques* were killed; and that, on observing the sudden fury of the said Indians, I encouraged the said soldiers so that they should fight valiantly,

and this they did with much courage; and that, as soon as the *palenque* of the said hostile Indians was taken, I proceeded, by the order of the said deputy, to overrun the whole country and to discover other settlements that it had; and that this I did with great promptness, giving a very good account of everything; and that in this expedition, as in all the others which were undertaken in the said conquest, I went as such Captain, placing myself amidst the greatest risks and dangers upon all occasions; let them say, etc.

17. Also, whether they know that as I was an honorable man and one of character and merit, I was three times appointed as *Corregidor* of the natives; and that for the same reason I was named as *Corregidor* of *Quepo* by the King, our Master, and likewise was appointed for *Pacagua* by the nomination of Captain Gonzalo de Palma, Governor and Captain-General of these provinces for the King, Our Master; and also that I was *Corregidor* of these valleys of *Cartago* by appointment of Bartolomé de Lencés, who was then Governor of this Province of *Costa Rica*; and that in all these charges I have given a very good accounting of the said offices, showing myself always a very good judge; let them say what they know and have heard.

18. Also, whether they know that as an honorable, deserving and capable man I was appointed as *Alcalde ordinario* during the first year of the said establishment of the said city of *Talamanca* and that immediately thereafter, in the second year ensuing, I was again appointed *Alcalde ordinario*; and that likewise I, the said Captain Pedro Flórez, being a person of character and above reproach, was appointed in the said city of *Talamanca* as *Fiscal* of the Holy Office (the Inquisition) by the *Comisario* of the Holy Office, Fray Juan de Ortega of the order of San Francisco, Guardian of the said city of *Santiago de Talamanca*, six years ago more or less; let them say what they know.

19. Also, whether they know that the said city of *Talamanca* lasted six years more or less, and that during that time some *fragatas* (sailing vessels) were constructed and were loaded with supplies and were taken to the city of *Portobelo*, in the Kingdom of *Tierra Firme*, and that during that time I served in the said city very quietly and peacefully with the natives; let them say what they know.

pany of the said Captain Juan Cabral and they passed through the said hardships mentioned in the question and at the great risk of life; and this he answers.

* * * * *

I, Captain Pedro de Flórez, a resident of this city, state that I have held an inquest into merits and services, in the usual judicial form, before García de Quirós, the *Alcalde* predecessor of Your Honor, and I beg and pray that Your Honor may direct that I shall be given a written copy thereof, duly certified.

PEDRO DE FLÓREZ.

In the city of *Cartago*, on the fourth day of the month of April, 1612, before Cristóval de Chaves, *Alcalde ordinario* in this said city for the King, our Master, this petition which he presented was read; and it was provided: "let it be given him."

Before me: GERÓNIMO PHELIPE, public notary.

And I, Gerónimo Phelipe, public notary and notary of the Municipal Council of this said city of *Cartago*, Province of *Costa Rica*, for the King, our Master, issued the present copy of the said petition and order of the said *Alcalde*, which he signed here with his name, at *Cartago*, on the seventh of April, 1612; witness: Juan López de Ortega and Juan Tomás, residents of this city.

CRISTÓVAL DE CHAVES.

And in witness of the truth I affix my signature: GERÓNIMO PHELIPE, public notary.

We, the Justices and Aldermen of this city of *Cartago*, of the Province of *Costa Rica*, certify and attest that Gerónimo Phelipe, by whom this testimony is signed and sealed, is such public notary and notary of the Municipal Council, as stated in his subscription, and that the documents thereto attested, signed with his name, are to be given full faith and credit in legal proceedings and outside thereof.

Dated in the city of *Cartago*, on the seventeenth day of April, 1612.

ALONSO GUAXARDO DE HOCES

FRANCISCO DE ALFARO.

GERÓNIMO PONCE DE LEÓN.

GASPAR PÉREZ PACORDOSO.

Memorial of the Captain Diego del Cubillo.

Doc. 79

MADRID, June 8, 1617.¹

SEÑOR:

The Captain, Diego del Cubillo Calderón, domiciled in the city of *Cartago*, in the Province of *Costa Rica*, and resident at this Court, states that it must be six years, more or less, since the Indians of the Valley of *Duy* and *Mexicanos* of the said province rose against the city of *Santiago de Talamanca* which was made up of Spaniards and had been established for more than seven years, and was already instructed and governed with justice; and the number of the Indian archers was so great that they took possession of the said city and still hold it, having killed many Spanish people, men and women, and carried away many children of Spaniards, whom they now hold as slaves; and they have gloated over this in such a manner that the neighboring Spanish settlements are in great danger that the same thing will happen to them, because every day there are rebellions among those who were at peace and baptized; and it is very sure that if they undertake it they will seize the whole province, from which will follow the bad result that they will no longer consider the service of God, our Lord, and that of Your Majesty.

And in order that so great an evil may be prevented the said Captain Diego del Cubillo has been willing, out of pity, to come to this Court to tell Your Majesty of the miserable condition in which that province finds itself, since it is without security in its territory, churches, private houses or people, and he is willing to undertake the pacification of this said province under the conditions set forth in the Memorial signed by his hand which he submits; and he prays Your Majesty to be pleased to direct that some resolution be taken with the promptness that is so desirable, appointing a person with whom the contracts and matters relating to the service of Your Majesty may be discussed, so that it may have due effect, whereby Your Majesty will be served and the said Captain will receive favor.

¹ General Archives of the Indies. Shelf 64. Compartment 2. Bundle 2. Fernández, V, p. 216.

He presents the report of investigations made by virtue of a *Royal cédula* of Your Majesty, whereby the insurrection of the said Indians is shown, as well as the manner in which the said Captain upon this occasion, and upon others, has served Your Majesty.

DIEGO DEL CUBILLO.

The *Fiscal* (of the Council of the Indies) states that this party should be refused what he asks, for besides the fact that the offices, grants and privileges which he petitions for are much more valuable than the service which he offers to perform for Your Majesty, even if he should carry out all his promises, Your Majesty has commanded that such conquests and subjections should not be made by hostile measures, but rather by the preaching of the Holy Gospel, sending Friars and ecclesiastical persons thereto, with orders to the Viceroy that the one who is nearest the scene of operations shall see what is most desirable for the service of Our Lord and of Your Majesty. He asks that this may be provided, or at least that a *Cédula* be given, in order that the Viceroy and Audiencia, the Archbishop, and the ecclesiastical and secular Councils may report particularly all that relates to this matter and what is most desirable to be done;—and this is his reply.

In Madrid, June 8, 1617.

(A rubric or flourish.)

Doc. 80 Proposal Submitted to His Majesty by the Captain Diego del Cubillo to Subjugate the Talamancas and Other Indians.

MADRID, 1617.¹

The points to be observed in the capitulación and agreement which I, Captain Diego del Cubillo Calderón, propose to make with His Majesty, concerning the subjugation and pacification of the Indians of the Province of *Costa Rica* and valleys of *Duy*

¹ General Archives of the Indies; Shelf 64, Compartment 2; Bundle 2. Fernández, V, p. 218.

and *Mexicanos* and the others which are to be subjugated in the said province, are as follows :

First: I agree that within the period of five years after I shall have entered the said province, I will subjugate and reduce the Indians of the *Duy* and *Mexicanos*, which is where the city of *Santiago de Talamanca* was settled that was destroyed by the Indians who rose in rebellion, although many of them were Christians; and in particular the *Caciques* and head men, agreeing to have them within that time quiet and peaceful in their villages, attendant upon the sacred teaching and having and maintaining Friars who may administer to them the Holy Sacraments; and I undertake to locate a city in the region where the city that was burnt was situated, or in such other place as may be most desirable.

Also, I obligate myself to subdue within the said period the Indians of *Los Votos* who are on the North Coast; and if there is a port, as there is supposed to be, suitable for intercourse with *Cartagena*, and *Havana* and *Puertobelo*, I will settle it and build there a town.

Furthermore, I bind myself to introduce into the Valley of the *Duy* and *Mexicanos* three hundred cows and a hundred head of swine, at my own cost, and in order that they may be distributed among the settlers and the conquerors by whom the farms may be occupied.

I will take thither the Friars who may be needed for the preaching of the Holy Gospel, and upon their being located, His Majesty is to give them what is needed for the convents that are to be established, as is done in the case of others who have gone to make new converts.

So, also, I bind myself within the five years to translate the Catechism and the rules of Christian Doctrine into the general and vernacular language of that province, which language they call "*Güetar*," so that the Friars may easily administer the sacraments and the Indians accept the faith and be confessed.

For the aforesaid, in order that it may be the more easily accomplished, His Majesty is to make to me a grant of the government of the Province of *Costa Rica* for the period of twelve years, with the title of Governor and Captain-General, including therein the Province of *Nicoya*, as it was held by Don Fernando

de la Cueva who was Governor of that province, which has as many as 350 Indians.

The authority to appoint *Corregidores* in the districts of *Quepo* and *San Mateo Chirripó*.

That I may be able to allot the Indians who may be subjugated and conquered in the said province to those persons who shall enter the said province in the service of His Majesty, for three lives, where they are newly conquered, and for two lives as to those already conquered and unappropriated, as is done in the case of those who make like conquests.

That I may, out of each 900 Indians who are subjugated, allot to myself 100, or to my son, nephew or grand-son, leaving the ports and provincial headquarters under His Majesty.

That I shall be able, in the districts settled by me to appoint public officers, *Alcaldes*, aldermen and Royal officials with a half of their salary, until His Majesty may make provision for the said offices.

That I may locate plantations and tracts of land (*caballerías*), sites for the erection of mills, work-shops and sugar-mills, throughout the province, for the settlers and deserving persons.

That the persons to whom I shall allot Indians shall be allowed to hold them, even though they may hold others in the said province and in that of *Nicaragua*.

A *Cédula* of His Majesty is to be issued, providing that all the arms, munitions and the other things which may have been in any way provided for the conquest of said province, whether given or taken by condemnation, shall be delivered to me, and I shall be authorized to ask for them and give an account thereof to the persons in whose possession they may be, and use them for the general purposes.

That I may appoint captains and the other officers that may be needed, and raise men in these kingdoms and in the Indies as they may be required, and that each soldier may carry his firearms and sword, and that I may bring in, free from duties, the powder and munitions that may be necessary.

That I may be allowed to construct upon the North Sea one *fragata* (sailing vessel), and another upon the South Sea, for

the exploration of the ports which are in the province and to carry supplies for the Valley of *Duy* and *Mexicanos*.

From the aforesaid there will result to His Majesty, in the first place, the spread of the Catholic Faith and the increase of the Royal Crown and patrimony, the subjection of as many Christian Indians as there are in the said valley, mixed up with the heathens, the conversion of these and the cessation of their insolent attitude, for they have killed so many Spaniards and burned a city of such importance, taking away therefrom the grown-up children of the Spaniards who were carried away by them when they rebelled; and if at present nothing more is done than to save the children of the Indians who may die in infancy and up to seven years, it will be a certain gain for Heaven, because their parents agree without difficulty to their baptism; and in a valley where there are so many people, naturally there are many who will die.

When this province is quieted, the whole country between the two seas, from *Mexico* to *Puertobelo*, will be at peace and fit for travel, which is of great importance for the service of His Majesty; and from the city which is to be settled, located where the former one of *Talamanca* was, it takes two days to go by sea to *Puertobelo*, and five to *Cartagena*, and the fleets and galleons may be supplied with provisions, of which usually there is a great need. It is a very fertile valley; it has a level country fourteen leagues long and six wide; there is a great amount of timber of all kinds, a large quantity of sarsaparilla, *pita* (a fibre plant), cacao and fruits, plenty of materials for building ships, and at little expense as the wood is so close by; some *fragatas* were built there before the Indians revolted, and were employed in voyages to and from *Cartagena* and *Puertobelo*.

Let it be explored and peace will prevail in the Province of *Térrebe*, in which lies the *River Estrella*, the distance from the valley to the river being about nineteen leagues. This is one of the richest yet known, for all the gold that there is in the Province of *Costa Rica*, in the possession of the Indians, comes from that river. It is called the *River Estrella*, because at its mouth, which is on the North Sea, when it grows dark a star of great splendor appears above it and guides the way up the

course of the river as far as it goes.² There are in this valley and in that of the *Duy*, as many as twenty thousand Indians, according to the account that has been given concerning them.

The reason why His Majesty should grant to me the power to appoint *Corregidores* in the province referred to is on account of being on the hostile border and where the supplies and equipment for the conquest must enter; and if they are placed there by me they will take more care in their service of His Majesty, for they will understand that if they do not do so they will be dismissed from the said offices.

The *Votos* Indians once quieted, then, if there is a port on the North Sea, as proposed, it will be of great importance, because it is eighteen leagues from it to the Valley of *Mata Redonda*, which is at peace, and which has a large copper mine that yields one-half and may be worked, His Majesty having need of copper for artillery and other things, and it can be easily transported to *Cartagena*, *Puertobelo* and *Havana*, by reason of the short distance by sea and land.

His Majesty has in said province a Governor with the same salary as is to be given to me, but it is not to be expected that the country can progress, because these Governors being appointed for five years, think only of the expiration of their time and of making a profit for themselves wherewith to return to this country;¹ this is a reason why the country is retrogressing daily and the Indians are in revolt, as are those of *Talamanca*, *Tamará*, and *Tariaca*, who had been Christians and who burned the churches, and it is a matter of regret that Christian Indians should be mixed with the heathens. But if the grant referred to is made to me, it will be necessary to carry out what is left for me to do, and there is hope of good results; besides, it will be much easier for me to subjugate this country than any one else, for I am acquainted with the language and know the ways and habits, and the cunning devices the natives have, and also I have a good name among them, for which reason, when I have entered into their territories with people, they have never been so insolent to me as they have to the others; and just at this time it will be much easier than at

² The planet Venus, observed by Vázquez de Coronado in March, 1564.

¹ Spain.

another time, because of the civil wars which are being waged between those of the Valley of *Guaymí* and those of *Quequerque*, *Térrebe* and others, in which they are becoming exhausted and destroying each other, to the great profit of the Evil One; all of this will be stopped by their pacification. And those of the Valley of *Duy* and *Mexicanos*, seeking to vent their rage upon others, and seeing upon one side that there are Spaniards and on the other hand their enemies, they will the more readily be subdued, and this without force of arms which will in no wise be required in that province, but only good planning and treatment after their own fashion.

The islands of *Toja* will be subjected; these are in the *Bocas del Drago*, Bay of *Almirante*, which is on the way coming from *Puertobelo* to the *Desaguadero* of *Nicaragua*, wherein at different times the Indians have killed many people who reached there in bad weather, and recently, in the year 1613, they killed fourteen Spaniards; and these islands will be of great benefit to the city of *Puertobelo*, by reason of being very close to it.

DIEGO DEL CUBILLO.

Proposal of the Governor of Costa Rica to Undertake the Conquest of Talamanca. Doc. 81

CARTAGO, May 19, 1638.¹

Don Gregorio de Sandoval, of the Council of War of the States of Flanders, Governor and Captain-General for the King, our Master, in this Province of *Costa Rica*;

Whereas, adjacent thereto and forty leagues from this city of *Cartago*, more or less, is the Province and Valley of *Duy*, inhabited by Indians who are rebels against the Royal Crown, and according to what is known, more than twenty-five thousand persons had been settled there and had been obedient and accepted the dominion of the King, our Master; but in the year one thousand six hundred and ten, they rose and rebelled, killing some Spaniards, women and children; and a city named *Santiago de Talamanca*, from which the said province and the

¹ Archives of the Indies. Shelf 1; Compartment 1; Bundle 2/221. Fernández, V, p. 306.

Valley of *Duy* took its name, was destroyed and burned; and on the said valley, on the other side of a Cordillera which lies between them, borders the Province of *Guaymí*, also inhabited by infidel, war-like Indians, and whose population extends from the river that they call *Estrella*, *Boca del Drago* or *Almirante Bay*, as far as the government of *Veragua* on the coast of the North Sea; and on the South shore it borders upon the Kingdom of *Tierra Firme*, by the village of *Chiriquí*, of the jurisdiction of the Royal Audiencia of *Panama*.

The said city of *Talamanca* was settled for more than six years on the bank of a river named *Tarire*, which empties into the North Sea, fourteen leagues from the said city, and navigable for the entrance and departure of vessels, for it is known that in the said city some vessels were built and loaded with products of the country, went to the city of *Puertobelo*, a voyage of three days.

And the said Province of *Talamanca* is very abundant in the things the country produces; it is rich in placer gold mines, and there is a great deal of cedar timber therein. In the district of the said fourteen leagues, from where the said city of *Talamanca* was founded to the outlet of the said *River Tarire* into the Sea, in any part of it and on its plains, there can be built vessels of any desired size, and they can go out without risk or danger, for the mouth of the river is very commodious and can be guarded from enemies. And with this convenience this Province of *Talamanca* can hold continuous communications with the cities of *Puertobelo*, *Cartagena* and the other cities of the Kingdom of *Tierra Firme*. And with the large traffic that may be had by the aforesaid, as well as by reason of the great abundance of gold that the territory produces, the products that it yields, the favorable conditions for shipyards, and the large sugar-mills which it can maintain, since it is fertile and productive, its settlement and conquest would be of great interest to the King, our Master, and his Royal Treasury would be much increased.

And after the rising and rebellion and rejection of the dominion which His Majesty had over the natives thereof, in the said Province of *Talamanca*, there were two levies made of Spanish men and infantry, one of them by order of Don Gon-

zalo Vázquez de Coronado, who was Adelantado of this province, and the other by order of the President and Judges of the Royal Audiencia of Guatemala, in whose jurisdiction and district this province falls; and they appointed, as War Governor the Captain Pedro de Oliver, *Alcalde mayor* of *Verapaz*, and a large sum of pesos of the Royal Treasury were spent therein; and both of the said levies of men were made for the punishment of the said Indians who had risen and rebelled, but although the country was entered, it did not result in anything and they continued in a state of rebellion and in their heathenism, their old sacrifices and idolatries, notwithstanding among these Indians there were many Christians.

And whereas to conquer and pacify and settle the said Province of *Talamanca*, the Valley of *Duy*, and the Province of *Guaymí* adjacent thereto, will be of great service to God, our Lord, by the subjection of so many souls as those provinces have, and to extend and exalt His Holy Gospel and the Royal Crown increase its patrimony; therefore, in continuation of the service that I have rendered to the King, our Master, for twenty years in these countries, in the States of Flanders, and in Italy, and the services which my ancestors have rendered, I promise and obligate myself to conquer, pacify and settle the said provinces, both that of *Talamanca* or Valley of *Duy*, which is in revolt, and that of *Guaymí*, adjacent thereto, for which in the best form that I am able and ought to use, I make with the King, our Master, and His Royal Council of the Indies, the agreement and *capitulaciones* following:

1. Firstly, I, the said Don Gregorio de Sandoval, Governor and Captain-General of this province, obligate myself to conquer, pacify and settle the said province of *Talamanca*, Valley of *Duy*, and the Province of *Guaymí*, and to bring the people thereof under the dominion of the King, our Master, and to settle and gather them together in order that they may be instructed in the Holy Gospel and taught in the things of our Holy Catholic Faith; for this purpose I am to bring into the said provinces all the men, foot-soldiers, supplies of arms, such as arquebusses, powder and lead, swords and shields, quilted coats of mail, and a supply of food and provisions for the

maintenance of the said foot-soldiers, sappers and other laborers which it will be necessary to take.

2. Also, I obligate myself to settle a city in the Province of *Talamanca*, in the most suitable locality and place that may appear to me desirable, not only for the trade and communication with the ports and Kingdom of *Tierra Firme*, but for the education and proper instruction of the natives; and another city and town in the said Province and Valley of *Guaymí*, on the coast of the North Sea, in the most suitable location that may be found between the River *Estrella* and the Government of *Veragua*, the end and termination of the jurisdiction of this province; this I will do, and will pacify, within the period of three years from the day on which I may receive the special order of the King, our Master, empowering me to undertake it, when I may have the men enlisted and ready therefor, in order to make the said entry, conquest and pacification.

3. For all of which I undertake to expend out of my own funds Sixteen Thousand pesos in current silver of eight reales each; and as an assurance thereof I will give a bond to the satisfaction of the President and Judges of the Royal Audiencia of *Guatemala*, or of the *Cabildo* (municipal council), justices and *regimiento* of this city of *Cartago* and the officials of the Royal Treasury, or of the person or persons who may receive orders thereunto from the King, our Master.

4. Also, when the Province of *Duy* and that of *Guaymí* have been thus pacified, conquered and settled, I undertake to put in each one of the said provinces 400 head of cattle for ordinary use until it may be convenient to establish ranches. And the same as to swine sufficient for food and for breeding; likewise as to horses, mares and mules of which there may be need for communication between the said provinces and this one.

And in compensation for the services that I shall render to the King, our Master, in pacifying, conquering and settling the said provinces of *Duy* and *Guaymí* at my own cost, and in bringing the natives thereof to a true knowledge of the things of our Holy Catholic Faith and placing them under the dominion of His Majesty, I am to receive from his Royal hands the grants, honors and favors following:

1. First, I shall be given license and authority to enlist men.

both in the jurisdiction of *Guatemala* and in that of *Panama*, and in other localities where it may be most convenient, until I shall have the full number of such men as may be needed, without any justices placing any impediment in the way thereof; and I shall be allowed to appoint camp-masters, sergeant-majors and the other militia officers that may be required.

2. Also, I shall be given license and authority to enable me to conquer and pacify the said Provinces of *Duy* and *Guaymí*, and all the other people included in the said provinces and upon the coast of the North Sea, running from the mouth of the *River Tarire*, upon which the city of *Talamanca* was settled, *Bocas del Drago*, Islands *Del Viejo*, Bays of *Almirante*, as far as the borders of *Veragua*, to which the Government and jurisdiction of this province reaches; and upon the side of the South Sea, to the village of *Chiriquí*, town of *Alanxe*, in the jurisdiction of the city of *Panama*.

3. Also, a grant shall be made to me of the government of this Province of *Costa Rica* and the Captaincy-General thereof and of the said Province of *Talamanca* and *Guaymí*, for two lives, my own and that of a general heir, or such person as I may substitute in my stead, with the salary that I have at present, so that it may be paid to me, or to my said heir, in the manner and form that it is now paid; and that for the period of three years I shall have the right to appoint persons satisfactory to myself as *Corregidores* of the districts of *Chirripó*, *Turrialva*, *Pacaça* and *Quepo*, because, having the said districts, the said conquest will be more easily accomplished; for all of which I shall be given the titles and other necessary instruments.

4. Also, there shall be granted to me, for myself and my said heir and successors, the authority as *Alguazil mayor* of the said provinces of *Talamanca* and *Guaymí* having charge of the appointment of deputies and *Alguaziles* in such places as may be most convenient, with a voice and vote in the *Cabildo* (council).

5. Also, there shall be granted to me, for the period of three years, the office of *Alcalde mayor* of *Nicoya*, which is close to this province, in order that the foot-soldiers may be better pro-

vided with clothing and necessities, there being in this part of *Costa Rica* aforesaid few people and provisions therefor.

6. Also, there shall be granted to me the right to put in that province as many as fifty negro and negress slaves for my personal service and establishment as well as for work in the mines, and for other purposes that may arise, and these are to be free from Royal taxes due the Crown of Castile and Portugal, which belong to Your Majesty.

7. Also, there shall be granted to me, and to the person who may succeed me in the Government, and to the other persons whom I may take with me and who may become settlers, that all the gold, silver, pearls and other precious things which may be obtained, either in the mines or in the sanctuaries and barbarian burial places, shall not be taxed more than one-tenth instead of one-fifth for the minimum term of twenty years.

8. Also, there shall be granted to me, and to the said conquerors and settlers, that for the term of twenty years there shall not be collected from, or demanded of, them the Royal impost upon trade, contracts and the other business in which they may be engaged.

9. Also, there shall likewise be made to me the grant of two fisheries in the said province of *Talamanca* and *Guaymí*, one of pearls and the other for fishing, which I may select within the said territory mentioned, on the coasts and bays of the said North Sea, and which shall be perpetual for myself and my heirs.

10. Also, there shall be granted to me and authority and license shall be given to me for the term of two lives, to allot (*encomendar*) the Indians that are unappropriated in this province during my governorship, and for the term of three lives, in conformity to the laws of succession, those that are conquered.

11. Also, license and authority shall be granted to me, to give to the well-deserving persons who may go with me upon said conquest, and to their children and heirs, plots of ground and lands for pastures, cultivation, and for farms and other purposes, to hold the same in perpetuity; and if the said conquerors and settlers set up any sugar-mills, no execution shall be levied on them, or their slaves, supplies, houses or machinery.

12. Also, there shall be given to me, and to my successors, the license and authority to construct, at such points as shall be most desirable in the said provinces and in the ports thereof, two or three forts, or more if it be desirable for the safety of the said province; and there shall be given to me, and to my successors in perpetuity, the command thereof, with the salary which is usual for the forts of the King, our Master.

13. Also, license shall be given to me to select and take for myself, and for my successors, an allotment of Indians in each Spanish village and place that may be settled, which I shall be authorized to improve by introducing Indians that may be unappropriated, leaving the some and taking the others.

14. Also, license and authority shall be given to me, and to my successors, so that we may prepare stamps and dies in order to mark and stamp therewith the gold, silver and other metals that may be taken out in the said provinces; and I shall have the power to appoint officials of the Royal Treasury where there are none, who shall perform their duties until the King, our Master, may otherwise command or until he shall confirm those thus appointed by me.

15. Also, license shall be given to me, and to my said successors, to the end that if, after being pacified, there should arise in the said provinces any rebellion or insurrection contrary to the service of God, our Lord, and of His Majesty, the Royal Treasury shall furnish what, in the opinion of the Royal officials, may be needed for the putting down of such revolt.

16. Also, license and authority shall be given to me to make ordinances for the administration of the territory and the work in the mines, and for other needful matters for the government.

17. Also, license and authority shall be given to me to divide what shall be thus conquered and settled into *Corregimientos*, *Alcaldías*, *mayores* and *ordinarios*, or as may be found best, which, with their inhabitants and councils, are to be subject to the city that shall be the head of the government.

18. Also, I and my said successors are to hold in the said provinces both civil and criminal jurisdiction, upon appeal from the said *Alcaldes mayores*, *Corregidores*, deputies and other judicial officers who shall administer them, in all cases or causes

that may arise, except such as particularly belong to the councils.

19. Also, that when the grants are made to me, immediately upon my taking possession by virtue thereof, all the justices, *Corregidores* and *Alcaldes mayores* and other officers shall cease the administration of their offices; and the Adelantado of this province of *Costa Rica* shall be such no longer, nor shall he appoint himself to any duties within the territory which I may conquer and settle.

20. Also, license shall be given to me, to empower me to provide and appoint annually, and until they can be made permanent, in the said cities, towns and places which may thus be settled, all *Alcaldes ordinarios*, members of the *hermandad* (brotherhood of peace officers), Aldermen, and other officials and judicial officers, who are to conduct their offices in the form and manner in which they can and ought to be conducted.

21. Also, a special *Cédula* shall be issued to me, so that the soldier or officer of the militia, once he shall have enlisted to go upon the said expedition of chastisement and subjection, may not go elsewhere, under severe penalties, nor leave the company without my permission.

22. Also, upon the fulfillment of this agreement and *capitulación* which I thus make with His Majesty, and after having conquered, subjected and pacified the said provinces, and after the natives thereof shall have yielded obedience and dominion to our King and natural Master, and the evangelical gospel is preached so that they may come to a true knowledge of our Holy Catholic Faith; and having in view the services which I shall have performed in this province and those rendered by me previously in the States of Flanders and Italy, the grant shall be made to me giving to me in the said provinces of *Duy* and *Guaymí* vassals in perpetuity and conferring upon me the title of Marquis thereof.

Which said *capitulaciones*, thus made with the King, our Master, I will keep and execute according to and in the form and manner mentioned, and under the guaranty of the bond I have offered, when there shall be made to me the grants aforesaid, which I ask may be made to me.

And there is also to be granted to me the favor of issuing

to me a Royal *Cédula* providing that the judges, Royal officials of these Provinces of *Costa Rica*, *Nicaragua* and *Guatemala*, and other judges in whose possession there shall be any quantity of *maravedís* and *pesos* of gold, silver or other things applicable for the expeditions of *Talamanca*, shall deliver and give the same to me, so that together with the said Sixteen thousand *pesos* which I have heretofore offered and do offer to expend in the said conquest and pacification, they may be taken from the possession of whoever may hold them and used for the said purpose.

And I have signed the foregoing with my name, before the public notary and notary of this government.

Dated in the city of *Cartago*, capital of the Province of *Costa Rica*, on the nineteenth day of the month of May, one thousand six hundred and thirty-eight.

DON GREGORIO DE SANDOVAL.

He came before me and I affixed my mark in testimony of the truth. (Mark.)

MANUEL DE FLORES,

Public Notary and Notary of the Government.

Don Gómez de Cárdenas Palomino, Having a Power of Attorney from Don Francisco Núñez de Temiño, Asks the Audiencia of Guatemala to Report to the King upon the Subject of the Conquest of Talamanca. Doc. 82

GUATEMALA, 1648.¹

The Ensign, Don Gómez de Cárdenas Palomino, in the name of, and holding a power of attorney from the Captain Francisco Núñez de Temino, at present *Corregidor* of *Monimbó*, states:

That, as appears from the documents and papers which he submits in legal form, there was issued in about the year 1608, a Royal *provisión* for the pacification and subjugation of the Indians and provinces still left to be pacified, *from the Provinces of Costa Rica, district of this Royal Audiencia, as far as the*

¹ General Archives of the Indies. Shelf 64; Compartment 2; Bundle 10. Fernández, V, p. 330.

borders of the Province of Veragua and Panama, and all the territory which is included from the North Sea to that of the South and Valleys of Chiriquí, so that the said natives thereof might be subjected and brought to the knowledge of God, our Lord, and the Evangelical Gospel, and to obedience to your Royal Person, and so that travel and communication may be carried on by land from the said Provinces of Costa Rica to the said city of Panama, wherefore a formal appointment was issued to the Adelantado Don Gonzalo Vázquez de Coronado for such pacification;

That after the lapse of some years without anything having been done as to said pacification and subjugation of said Indians and provinces, and after the death of the said Adelantado in about the year 1613, the Licentiate Juan Maldonado de Paz, then being the *Fiscal* (attorney general) of that Royal Audiencia, presented a petition, in which he asked that where as many of the Indians had revolted and others were unwilling to submit—conditions that had stirred up discontent among those who were already subdued—an order should be given to remedy this state of affairs, and that retirement of the Captain Pedro de Oliver should be required and that the then Governor of *Costa Rica* be appointed in his place and be entrusted with such subjugation; regarding this he added that an inquest should be taken, and this was done; and further, that it appeared that the said Captain Oliver had spent a great deal of money from your Royal Treasury without any results whatever, as appeared from the petition of your *Fiscal*.

And now my principal proposes to enter and to make the said pacification and subjugation, at his own cost and expense, prosecuting what the said Adelantado had begun; for, having married a grand-daughter of said Adelantado, and possessing by her a daughter who is now living and who is therefore the great-grand-daughter and heiress of the said Adelantado's services, and the continuation of such undertaking and pacification thus devolving upon my said principal, he offers to serve your Royal Person therein, at his own cost, as I have stated. And this will be of much value and service to both Their Majesties, inasmuch as the provinces referred to are of so great importance, to say nothing of the benefit to souls, to your Royal Person and Royal treasury, for *they have and occupy almost one hundred leagues*

along the shore of the North Sea, marked off from the *Desaguadero* (outlet) of the Lake of Nicaragua to near the River called CALOBEBORA, facing upon, toward the sea, what is known as the ESCUDO DE VERAGUA, an island that is distant from the mainland about eight or nine leagues; and in the middle of these hundred leagues there is the much celebrated Bay of *Almirante*, which is formed by the shelter afforded by three islands named *Toxa* or *Bocas del Drago*, also known as islands *Del Viejo*, for which reason it is the best and safest port known in the greater part of the world, and in it there is an abundance of fish of all kinds; and near the said islands there are many beds of pearl oysters of fine quality, but the natives there, having attacked many of the vessels which came thither from *Cartagena* to catch turtle, no fisheries have been established as in *Margarita*, although the attempts made to do so have cost the lives of several of the men in the ships that reached there. Into this bay empty the rivers of *Talamanca*, *Quequexques* and the famous river *Estrella*, noted for its riches, making it still more attractive.

And upon the side of the other Sea, of the South, along which runs the mule road to *Panama*, the coast extends over a distance of from sixty to seventy leagues, from *Quepo*, the last settlement of *Costa Rica*, to the *Rio Grande de Chiriquí*, and its latitude is from fifty to sixty leagues; from one Sea to the other.

And besides the fulfillment for your Royal Person of your Catholic desires, the advantages and benefits which are to be derived are very great; these are the subjection of so many souls to the Faith and more than twenty thousand vassals and their families to your Royal service; mines of gold more valuable than any known, which are not mentioned by accounts or reports, and are unknown to any except a number of eye witnesses, who, with their leader, were blinded by their cupidity and sought to pillage the sacred riches in places where the natives worshipped, thereby causing those barbarians, more than six thousand of whom had been peaceful for two years, to rise in revolt; they rebelled and killed those persons who were isolated and compelled those who were not, after fighting with them for some days, to retreat to peaceful territory, losing at once all that had cost so much labor.

Besides this, through the medium of the Indians of *Quepo* and other villages of *Costa Rica* that lie in what is called the *Tierra Adentro*, many small eagles of gold have been obtained; and it should be observed that the Indians, not being very skilful, never made use, nor do they now make use, of metals difficult to procure, but of those minerals which by reason of their abundance and richness are distributed with prodigality; this is the same experience that was had in the kingdoms of *Peru*, *New Spain* and *Nuevo Reyno*.²

Pearls are also abundant, as are cacao, *Pita*,³ sarsaparilla and products, and there is a great variety of timber for the building of large vessels, with ports suitable for their construction and the launching of them upon the water. It is near *Portobelo*, and *Cartagena*, from whence supplies may be brought at small cost, which is no small advantage in such matters.

The mules which are brought to *Panama* from the Province of *Nicaragua*, for use in the transportation of silver to *Portobelo*, will be safe, whereas up to this time they have made the trip at the mercy of the *Borucas* and *Cotos* Indians, who demand for the permission to pass in safety certain presents of things that they desire; besides it will be of general benefit to this kingdom and of advantage to your vassals; and what has been stated appears and is shown by the description which is submitted herewith.

But in order to reach the presence of Royalty, as my principal seeks to do, so that he may be shown favor and be granted the said pacification and conquest, it is desirable that Your Highness may be pleased, in view of the facts submitted, to inform His Majesty of the importance thereof, not only for the service of God, our Lord, and the exaltation of the Faith, but for that of the Royal Person and the increase of his Royal treasure and his kingdom and the welfare of his vassals; and let him be also advised that it is desirable, in order that the said pacification may be carried out, that the grant be made to my principal of the Government of *Costa Rica*, within the jurisdiction of which

² The New Kingdom of *Granada*, *Colombia*.

³ A fibre plant: *bromelia pita*.

the said territories belong, and that it is not desirable for such pacification that there should be more than one leader, since, otherwise, nothing will be accomplished, as appears by the simple memorial which I also presented. And furthermore let the Royal Person be informed that my principal has been provided by Your Highness with duties and offices which he has filled and discharges in this kingdom and province, due to his capacity, his qualities and his ability.

I beg and pray that Your Highness may have before you all the documents presented, and that in view of them all, and considering the service and good that will ensue to the souls of the infidels, the benefit to the Royal treasury of His Majesty, a report may be ordered to be made upon this subject, and of the qualities, the ability and capacity of my principal, and that a copy of such report be furnished to my principal so that he may place himself at the feet of the Royal Person and that favor may be shown him.

What I ask is just, and therefore, etc.

THE LICENTIATE JUAN XIMÉNEZ MAXANO.

DON GÓMEZ DE CÁRDENAS PALOMINO.

Report of the Cabildo of Cartago.

Doc. 83

CARTAGO, November 7, 1648.¹

The Captain Hernando de Carrión Villasante, the oldest *Alcalde ordinario* of this city of *Cartago* and Deputy-General of the Governor, the Ensign Don Francisco Ramiro, also an *Alcalde ordinario*, the Captains Gerónimo de Retes, *Alguazil mayor* of this Government and Alderman, and Diego de Ocampo Figueroa, Provincial of the Holy Brotherhood and Alderman of this city, in compliance with the terms of the petition presented on the part of the Adjutant Alonso Peláez, in the name of the Captain Don Francisco Núñez de Temiño, *Corregidor* of the district of *Monimbó*, in the Province of *Nicaragua*, resident of the city of

¹ General Archives of the Indies. Shelf 64; Compartment 2; Bundle 10. Fernández, V, p. 314.

Granada, make to the King, our Master, and the members of his Royal and Supreme Council of the Indies, the report following:

The Valley of *Duy*, included in this Province of *Costa Rica*, is distant from this city of *Cartago* about forty leagues, more or less, and the people who inhabit it are heathen and warlike Indians, who, during the year of 1603, made an attack on the settlements of *Tariaca* and *Obea* of the *Corregimiento* of *Tierra Adentro* and did some damage by way of murders and robberies and otherwise, of which the natives of the said settlements complained to Don Juan Ocón y Trillo, Governor and Captain-General who was then in this province, and they asked for help and assistance and that they be protected against their enemies; and the complaints having been reiterated in the year 1604, the said Governor and Captain-General made a levy of Spanish infantry, under the command of the Campmaster Don Diego de Soxo and the Captain Pedro de Flórez, who were residents of this city, and these were charged with the punishment of the said enemies and Indians of *Moyagua*, of which at that time there was no other information; with this infantry the aforesaid entered the territory, and having made some scouting excursions, all of the people thereof yielded themselves up peaceably, swearing allegiance to the King, our Master; and they received the Holy Gospel, which was preached to them for the space of five years by the Friars of the Order of our Padre San Francisco; and the said Province and Valley of *Duy* being at last pacified, there was founded the city which took for its name *Santiago de Talamanca*, and judicial and administrative officers were appointed so that the citizens might be kept in peace and justice.

And all the people, apparently, being at peace and the Spanish residents arranging matters for their sustenance, both in the city and outside of it, one night which they said was the 29th day of the month of July, 1610, the Indians of the said Valley of *Duy* attacked a squad of soldiers with which the Campmaster, Don Diego de Soxo, was going through the territory, killing and wounding some of them; and also in some of the settlements, particularly in those of *Usabarú* and in *Acteo*, they killed some women and Spanish children and other residents; and they also surrounded the city of *Talamanca* and burned it, and the residents who were in it withdrew to a strong house, where they were

able to save their lives and those of their women and children, notwithstanding the numerous attacks made by the enemies. But on account of the great need that they were in, it being impossible to sustain themselves therein, and by reason of the lack of any succor, they had to abandon the strong house, and in the face of notable dangers, they withdrew from the territory and came to this city.

And the said Province and Valley of *Duy* being under the charge of Don Gonzalo Vázquez de Coronado, *Adelantado* of this province, by special order of the Royal Audiencia of *Guatemala*, he undertook the punishment and subjection, and he raised new companies of infantry in the year 1611, the Doctor Don Pedro Sánchez Araque of the Council of H. M., his Judge of the said Royal Audiencia and Inspector General of his district, assisting him. With these they arrived at the said settlement of *Tariaca*, six leagues from the said *Moyaguas* Indians who were the nearest; but the said expedition failed, many of the soldiers having been taken sick, and also, for the lack of equipment, they retreated and this incursion had no effect.

And the said Doctor Pedro Sánchez Araque having been informed of this while he was visiting the Province of *Nicaragua*, gave an account of it to the members of the said Royal Audiencia and the President and Judges thereof, and it was arranged that Captain Pedro de Oliver, *Alcalde mayor* of *Verapaz*, should proceed to undertake the punishment and subjection of the said Valley of *Duy*, referring his disposition to the said Judge; and he despatched by Sea and the *Desaguadero* of *Nicaragua*, a captain of infantry with forty soldiers, arms, munitions, supplies and other war equipments in a vessel which sailed for the coast of the said Valley of *Duy* and they disembarked at its port. And by land came the said Captain Pedro de Oliver, with an appointment as War Governor, and he raised two companies of infantry in this city, and with this force the territory was entered in 1612. Marching three days he reached the location of the said city of *Santiago de Talamanca*, where he found the men and infantry that had gone by the Sea; and on the said site he located their barracks, taking possession of the territory in the name of the King, our Master.

At once he undertook to get the supplies and equipment that had been left on the seashore, to which two trips were made, and during these the men, both natives, friendly Indians, and the Spanish soldiers, became ill, and many of them died; because of this and the lapse of time, the conquest and punishment became impossible; and although help was sent from the *Corregimiento* of *Tierra Adentro* and this city, it was not possible to maintain the Royal Camp; so that the said Captain Pedro de Oliver determined to go to a peaceful territory and to come, as he did come, to this city, with the greater part of the infantry, leaving some in charge of the Captain Joaquín Solano, who was less able to maintain the post, because, not only was there a great deal of sickness among the infantry and a total lack of supplies, not having had any assistance, some of the soldiers ran away; and finding himself in an extremity in which all were of the same mind, his necessities compelled him to retreat to the said *Corregimiento* of *Tierra Adentro*, so that this expedition was entirely broken up and the natives of the said Valley of *Duy* were left unpunished and became more and more insolent; and as a result of this they made some attacks upon the natives who were at peace, doing them a great deal of damage, killing and capturing many and carrying them away as slaves.

During the time that the said Valley of *Duy* was at peace and the said city of *Talamanca* settled, there must have been therein as many as six or seven thousand resident Indians, with uncounted numbers of women and young people, who were easily led to receive the holy baptism and hear mass, and they learned the sacred doctrines with much eagerness; so that there were many who understood the Castilian tongue and were Christians. During that time there were built some vessels in the same city, which is surrounded by two large rivers, called *Tarire* and *Cohén*, with a good depth of water and navigable down to the Sea; by way of these two rivers taken together, the port is about fourteen leagues distant, whereas, by land, the distance to the port is but eight leagues, a little more or less; and at any point along the said rivers, from the Sea up to the place where the said city was located, there could be established very special and large ship-yards for vessels of any size, there being a great quantity of cedar and other excellent woods for such construction; and

leaving the said rivers, or port, in a day and a night the city of *San Phelipe de Puertobelo* in the Kingdom of *Tierra Firme* is reached.

The territory is very fertile and abounds in fruits and everything that is planted is very productive. There circulates among the natives a good deal of gold, cast in shape of eaglets, small pipes and various other shapes; and according to reliable and certain information the said gold was taken from the earth in grains.

About fifteen or twenty leagues from the said Valley of *Duy*, there are some *palenques* or fortified Indian dwellings, that they call *Térrebe* and *Quequexque*, which are also in this province. and in these there must be about six hundred Indians, who were also at peace and submitted to the dominion of His Majesty when the others in the valley yielded. And four Spanish soldiers having gone to see them and to visit their *palenques* with some friendly Indians, they confederated together and one night they attacked and killed the soldiers; and they also remained without punishment. These *palenques* are upon the river that they call *Estrella*, which adjoins the islands of *Toxa* and the Bays of *Almirante* where there are some Indian outlaws who have killed many Spaniards who reached those islands in vessels and went ashore to get water and firewood.

The said *Térreves* and *Quequexques* country is also adjacent to the province that they call *Guaymí*, but the people who may be in it are not known with certainty, the country being large and very rough, and not having been entered by Spaniards; it has its frontier and termination at the Government of *Veragua*, jurisdiction of the city of *Panama* and kingdom of *Tierra Firme*.

Therefore, it seems to us that if the King, our Master (may God keep him) shall be pleased to entrust to the said Don Francisco Núñez de Temiño this punitive expedition and the subjection and conquest of the said Valley of *Duy*, he will do it, being a nobleman of many and excellent qualities, and brave and wealthy. This he will be able to carry out if there is given to him the government of this province of *Costa Rica* and four *Corregimientos* of Indians that are in it and in which there will be about six hundred natives, more or less, who can be made use of to furnish guides, cotton and other things that are re-

quired for war supplies; and with less than this we think that it is impossible for him to make this conquest.

And after this has been done and this territory and the Valley of *Duy* have been pacified, and those who made the insurrection are punished, if they are living, God our Lord will be greatly served by the subjection of so many souls which the Devil holds there in blindness and captive in their ancient rites, ceremonies and heathen idolatries; this is better understood when it is known and seen with what docility the new people listen to the preaching of the Holy Gospel and the Christian doctrine, and the eagerness with which they ask for the water of the holy baptism, and how, after the insurrection in the territory, there came with the Spaniards some Indian men and Christian Indian women, denying their own kin, relations and families.

Because of the abundance of gold that circulates in the said Valley of *Duy*, its fertility and productiveness and its abundance of timber for shipbuilding, and its being so near to the said Kingdom of *Tierra Firme* and the city of *San Phelipe de Puertoabelo*, the Royal Treasury will be very much increased with the Royal duties, imposts, taxes and other fees that will be levied on the great traffic it is expected there will be in that territory; and in this the Province of *Costa Rica* will also participate by reason of its proximity, and, being rich in its products, and cattle, horses, swine and other things, it will make use of them, by which and by many other things that are greatly useful which are not now considered it will greatly profit.

And that the foregoing may appear, and in response to the said petition, we submit these presents upon our conscience and according to what we know and have seen and heard from many soldiers who were engaged in the said conquest and pacification and in the other expeditions which were made into the said Valley.

Dated in the city of *Cartago*, on the 7th day of the month of November, 1648. And we sign it with our names, on common paper, not having any stamped paper to use, as appears by the certificate of the Treasurer of this impost.

HERNANDO DE CARRIÓN.

GERÓNIMO DE RETES.

DON FRANCISCO RAMIRO.

DIEGO DE OCAMPO FIGUEROA.

I, Manuel de Flórez, public notary and notary of the Government and records of this Province of *Costa Rica*, for the King our Master, at the request of the Adjutant Alonso Peláez, resident of the city of *Cartago*, in the name of his principal, have made this transcript of the original report and other papers that are referred to therein, with which I have corrected the same and made it agree, and it is correct and true, to which originals I refer.

Dated in the Village of *Uxarraci*, of this jurisdiction, on the 9th day of the month of November, 1648.

The witnesses were, the Ensign Francisco Arrieta and Juan Gómez, residents of the city of *Cartago*, present. And I sign it in testimony of the truth.

MANUEL FLÓREZ, public and Government notary.

Letter of the Governor, Don Juan Fernández de Salinas y de la Cerda to His Majesty. Doc. 84

CARTAGO, July 2, 1651.¹

SEÑOR:

When I arrived in this province I learned that Don Francisco Núñez de Temiño, a resident of *León*, was going to your court to claim from Your Majesty the grant of the right to undertake the pacification and conquest of the Province of *Talamanca*, it being in revolt and having lost respect for God, our Lord, and refused obedience to Your Majesty. Said province is annexed to this Government.

It is my duty, under the obligation of my office, to advise Your Majesty that it is especially desirable that this work shall be done, because in this Province of *Costa Rica* there are not left eight hundred Indians, so that it is extremely poor, and there is trouble in the Royal possessions of Your Majesty, since with more than a thousand ducats that belong to your Royal treasury there is not sufficient to pay the salaries of the Governor and curates.

¹ General Archives, of the Indies. Shelf 64; Compartment 2; Bundle 10. Fernández, V, p. 334.

But in that of *Talamanca*, according to the reports we get, there are more than eight thousand Indians, and it extends to the North Sea, where there are very good ports suitable for navigation and upon the shores thereof much excellent timber which could be used for ship-yards and the construction of many vessels; it is very near to the city of *Puertobelo*, whither one may go in twenty-four hours, and it borders upon the Bay of *Almirante*, the *River Estrella* and the *Escudo de Veragua*. It is a land very rich in gold, as shown by experience during the time that it was peaceful.

I am always desirous of finding occasion to expend whatever I may have and to offer my life in the services of Your Majesty, as I have done up to this time, and I feel assured Your Majesty will do me the honor, it being desirable that the said conquest be carried out; and this being so, it is necessary if it is to be successfully accomplished, that it be done by the present Governor; and Your Majesty will entrust it to me because it concerns me. In the campaign in Flanders, in the State of Milan, in Catalonia and upon the frontiers of Portugal, I have defended the arms of Your Majesty with my sword in my hand, shedding my blood in the execution of my duty, of which Your Majesty has sufficient information.

During the six months since I took possession of this Government, I have opened at my own cost the port of *Suerre* upon the North Sea, which had been lost for more than twenty-one years, and with it this province, so that the forts of *San Phelipe de Puertobelo* suffered great need, the commodities which were brought from this country being flour, biscuits and meat, and this port being so near to that of *Puertobelo* that the passage could be made in twenty-four hours.

And I also opened up twenty-six leagues of road through the mountain region, which had been abandoned, and I built therein eight huts (*ranchos*); I also sounded the waters of the port, and finding they had sufficient depth I established a Custom House and made there a settlement of Spaniards and Indians, giving entire satisfaction to those I took with me, as appears by the papers which I enclose, and in this I expended a large sum of *maravedis* and took due care in everything that related to the Royal service of Your Majesty, as I shall always do.

May God guard the Catholic person of Your Majesty for the advancement of Christianity, and give you increase of new kingdoms and lordships.

CARTAGO, the second of July, one thousand five hundred and fifty-one.

The servant of Your Majesty, who kisses your Royal feet.

DON JUAN FRZ. DE SALINAS Y DE LA CERDA.

Proposal of Don Juan Fernández de Salinas y de la Cerda, Governor of Costa Rica, Addressed to the King. Doc. 85

CARTAGO, July 2, 1651.¹

The Campmaster, Don Juan Fernández de Salinas y de la Cerda, Knight of the Order of Calatrava, now Governor of *Costa Rica* in *New Spain*, says:

That he has served Your Majesty in the States of Flanders and Milan, and in the campaigns of Catalonia and Portugal, from the rank of soldier and ensign in the States of Flanders; and having received authority thereunto, in the year 1631, he raised a company of infantry under a commission from Your Majesty; and having proceeded therewith into the State of Milan, he served therein both as an active and half-pay officer, and having returned to Spain in the year 1638, he raised at his own cost two hundred and sixteen men, one hundred and sixteen of them in the said year of 1638, and the remainder in the year 1640; and having clothed and provided them with munitions, he took them to the wharf at Cartagena; and in the same year Your Majesty granted to him a regiment, and, after it was formed in that city, he proceeded with it to the county of Rousillon, where he served as active and half-pay officer. With leave he proceeded to the army of Badajoz, where he served upon an allowance of eighty *escudos* for maintenance. He was present at the siege and taking of Bercelis, at those of Zalcieto and El Cincho, and in the assault of Berruga when that place was taken, also at the seizure and taking of Crecentín and the fight of Turin, at the assault which was

¹ General Archives of the Indies. Shelf 64; Compartment 2; Bundle 10. Fernández, V, p. 336.

made at Villanueva de Aste, at the taking of that place and of the citadel, and at the taking of Trin; and upon the night when that assault was made he was directed to attack with his company from the edge of the moat in order to dislodge the enemy and he persisted in the attack upon the citadel until it surrendered. Also in the relief of Chimbas he was selected to attack with a troop of musketeers, and was also in the combat which ensued with the enemy close to the castle of the Rivera.

Upon the frontier of Portugal he served with great valor; and the enemy being at Fresno, the Count of Santisteban sent him to govern the town of Barcarrota, the news that he gave of the movements of the enemy having been of great importance; and when the revolt took place at Badajoz, he hastened bravely to do whatever should be needed there; and when he was at Villanueva del Fresno he was appointed to go and govern Barcarrota, and while he was present there he furnished news of great importance. Also in the battle of Montijo he took part with a company and fought with special bravery in the encounter with the cavalry of the enemy and the two best regiments of their infantry; and in the sally made by our army he went in sight of Yebuas and he hastened to do everything that was needful with great care and vigilance.

He was charged by the Marquis of Mólanguen with the government of the town and district of Albuquerque, whither he proceeded with great zeal in the service of Your Majesty, and afterwards he took part in everything that came up in the restoration of the fort of Talón and in the removal of your army from that province, acting in all respects as an honorable soldier and fullfilling his duty to his ancestry, all of which appears by his papers and by the authoritative account which is before the Royal Council of the Indies.

And Your Majesty, in consideration of these services and of the many that were rendered by his forefathers, was pleased to grant to him the Government of *Costa Rica*, in *New Spain*, during the past year of 1650; and having arrived in these provinces, with the great zeal and devotion which he always shows in the services of Your Majesty, he learned that the port of *Suerre*, which opens upon the sea upon the North coast, had been abandoned for more than twenty-one years and the greater part of

the water flowed through a region which was called the *Reventazón*, by reason of which the commerce which was carried on by the said Province of *Costa Rica* with the cities of *Puertobelo* and *Cartagena* had ceased, and this was a great loss; and learning also that there was on that coast another river called *Ximénez*, which could be navigated, he despatched persons to examine and sound the said rivers. A suitable boat was then built, but they could not make soundings upon the bar, because the season for the northers had arrived; whereupon he despatched a second time a sergeant with some Indians, followed by the said Governor. And reaching the river called *Bonilla*, which is halfway on the road, he heard that the sergeant had reached the River *Ximénez*, and made soundings and passed over the bar, but that it did not have water enough for navigation; and he also sounded the bar of the River *Suerre* and saw that the water flowing through the said *Reventazón* could be diverted into the principal stream, as was done, closing the two mouths by which the water had been flowing out, one of which had a width of forty-two *brazas* (fathoms), by making strong caissons and other large works, the result being that the mouth of the River *Suerre* became very full of water, with good soundings and sufficient so that without any risk or danger vessels could enter and pass out, carrying on communication, as before, between that province and the cities of *Cartagena* and *Puertobelo*. And he made a Custom House in which to store the merchandise and products which might be brought from that province; and roads also were opened, and huts were built at eight halting places, and ranches sufficient for the packtrains, so that by this means the road could be travelled to and fro, and the port reached, with the greatest comfort; and the said Governor provided for this work and for all the people, both Spanish as well as natives, from his own fortune.

And after he took possession of the said Government, he organized in the said city of *Costa Rica* a company of Spanish infantry for the protection and defense of the country, with a captain, an ensign and other militia officers. And there was also a large river, which they called the *Río Grande*, which was on the Royal road to the port of *Caldera* and the Provinces of *Nicaragua* and *Guatemala*, which was crossed by a rope bridge that often broke down, so that the stream could not be crossed, caus-

ing many accidents and losses, for which reason he set up a canoe ferry and did it at his own expense, placing a person there to help in the transfer of persons and loads from different places, without any risk or hazard to their property; all of which appears by the testimony submitted.

And the said Campmaster, being desirous of doing still more in the service of Your Majesty, has fixed his attention on one matter through which, should Your Majesty be pleased to accept his zeal and good disposition, he may secure greater glory for our Lord and increase for the Royal Crown.

In the Valley of *Duy*, included in the Province of Costa Rica, which borders upon the *Corregimiento* of the *Tierra Adentro*, the Indians of the said country were conquered and pacified in the year one thousand six hundred and four by Don Juan de Ocón y Trillo, who was then Governor of the said Province of Costa Rica; and the natives thereof yielded to Your Majesty true obedience and were at complete peace until the year 1610, when they revolted, killing many Spaniards, women and children, and they burned the town which had been settled and which had for its name *Santiago de Talamanca*.

And although after the insurrection in this province the Audiencia of *Guatemala*, in the district of which it belongs, made special efforts for its pacification and subjugation, it was impossible to attain this, notwithstanding a great many infantrymen were sent thither under different commanders, the last one being the *Alcalde mayor* of *Verapaz* named Pedro de Oliver. Thus it was that those Indians continued so insolent and bold, and dared to make many incursions into the *Corregimiento* of the *Tierra Adentro*, killing and capturing many Christians, without meeting any resistance, and committing great injuries and doing much damage throughout the whole of that province, because they slew the Spaniards cruelly and inhumanly, not allowing them to trade or to enjoy the benefit of their products, or the great abundance of pearls and gold to be found in that country.

This, however, is not the most important; the thing greatest to be desired is the reduction of that country to the Catholic Faith, for it must contain more than thirty thousand Indians, who, upon being pacified, would yield obedience to Your Majesty. Recognizing the importance of this specification a contract was made

for that purpose and for the reduction of those Indians, in the year 1574, with Diego de Artieda, but it had no result on account of his death. That *capitulación* is presented with this memorial; in it reference is made to the districts and the situation of this country and to some of the things which were embraced in that agreement.

And the said Campmaster, Don Juan de Salinas, begs that Your Majesty may be pleased to allow an agreement to be made with him for this exploration and pacification, on account of the great advantages and benefits which will follow therefrom to the service of God and of Your Majesty; and to this end he submits for consideration that one of the most efficient means that can be found for the attainment thereof is that whoever shall undertake it upon his own account shall be, as said Campmaster is, the Governor of *Costa Rica*, because, by reason of the prestige and authority pertaining to that office, it will be much easier to secure success, and no one without holding that office can do it.

And, moreover, being so well liked in that province and favored by the natives thereof, and having some means from his own fortune, he would be enabled to succeed by using them and giving his life to the service of Your Majesty. And he also submits for consideration the importance of the fact that affairs of this nature should be undertaken by some one who has been brought up in the midst of military activities, in the exercise of which the said Campmaster has always been engaged, as set forth in the beginning of this memorial.

The city of *Cartago* also writes to Your Majesty, in the letter which is submitted herewith, how greatly the Royal service would be benefitted by entrusting to him this pacification, and that no one could carry it out better. And it having been submitted to Your Royal Audiencia of *Guatemala*, he deems it assured that a private report will be made favorable to him, as Don Antonio de Lara Mogrovejo, the oldest Judge of that Audiencia, intimates may be done in the letter which is submitted herewith.

And in order that the said pacification may be carried out, the following conditions should be agreed upon:

Firstly, he, the said Campmaster, Don Juan Fernández de Salinas, shall undertake at his own cost and expense to conquer and pacify the said Province and Valley of the *Duy* and punish

the rebels who reject the Royal dominion, taking at his own cost, as stated, all the infantry, arms, munitions and other war supplies which may be needed, both by sea and by land; and when the province is once pacified, he shall, in the name of Your Majesty, found a city in a strong and suitable place, fortifying it, as well as the port through which its commerce shall be carried on.

Furthermore, he shall undertake, at his own expense, to bring into the said province priests and members of the religious orders who shall preach the Holy Gospel therein and bring the natives to a knowledge of the things of our Holy Catholic Faith, gathering them into villages so that they may live in an orderly manner.

In order that he may be successful in this matter, Your Majesty should agree to grant to him the following:

Firstly, the Government he now holds should be given to him for a period of two lives, his own and that of a legitimate successor or person whom he may designate therefor after his own decease; and he should also, in order to make use of friendly Indians, have the disposal of the four small *corregimientos* established in this province.¹

Also, he should be given permission to enlist men and raise standards in the city of *Cartagena* and jurisdiction of the Royal Audiencia of *Panama*, and any other places which may be deemed desirable, special *Cédulas* being issued to him therefor, and to take the men who shall come, or who may have come, without Your Majesty's permission, from Spain to these ports of the Indies, in such places and localities as they may be found, in order to require them to serve in said conquest.

Also, that in the seaports where transportation shall be needed for infantry and war supplies, the necessary vessels be furnished him upon payment of the freight charges therefore.

Also, that in the Kingdoms of Spain a ship be furnished him with permission to bring infantry and war supplies.

Also, the said Province and Valley of *Duy* once conquered and pacified, the city established and the natives subjected, there shall be graciously granted to him in compensation for his services, costs and expenses, which will be very heavy, the title

¹ The *corregimientos* of Pacacua, Quepo, Turrialba and Tierra Adentro.

of Marquis of said Province and Valley of the *Duy*, and its ports, to be granted in favor of Don Juan de Salinas y de la Cerda, his father, resident in the town of Manzanares in the Kingdoms of Spain, whom he is to succeed in that titled, and after him to his heirs, and if he shall have none, to the person who shall be designated by the said Don Juan de Salinas, his father or by the said Campmaster; and also a grant for two lives of the office of Governor and Captain-General, over not only the said valley but also over all the cities, towns, places and forts which are located throughout the jurisdiction that is embraced within this province *which extends and runs from the borders of Nicaragua, on the North side, to the Escudo de Veragua; and, upon the South side, from Nicoya to the Valleys of Chiriquí, that being the jurisdiction designated by the King's Royal person*, and making to him a grant of the lordship over those cities, towns and places that may be settled by Spaniards.

Also, he shall be granted, by way of an allowance for expenses, the entire amount in *maravedís* imposed as a penalty upon the said Captain Pedro de Oliver, and against his goods, as an appropriation toward the said conquest of the said Valley of *Duy*, which amount is under the control of the Royal Audiencia of *Guatemala*; and there shall issue to him a Royal *Cédula* for their delivery to him and their removal from the possession in which they are now held, for which purpose he will give bonds.

Also, that there be granted to him, as further compensation for the aforesaid, two titles of military orders for such persons as he may designate.

Also, that he be given authority to distribute and allot the natives, under deeds of allotment (*encomienda*), for three lives, in accordance with the laws of succession, in favor of well-deserving persons who shall render services and labor in the said conquest, without any confirmation being required.

Also, that he have the right to take for himself and to allot to himself, under the said rules for heirship and succession, as appurtenant to said marquissate and revenues, one-third of the Indians who may be conquered and pacified, improving his service by changing them whenever he shall see fit, by letting some go and awarding to himself others, keeping always the same number.

Also, that he be granted authority to give and distribute to well deserving persons lands for cultivation and for plantations and other purposes that may be needed, and which they shall hold for themselves and their heirs.

Also, that the favor be shown him of issuing a Royal *Cédula* of inhibition directed to the said Royal Audiencia of *Guatemala*, that neither its President, nor the Governor and Captain-General, shall have a right to act in regard to causes that concern and have relation to said conquest and war enterprise, but that such action can only be taken by the supreme and Royal Council of the Indies. This is asked for because of the special troubles that very often arise, as happened in the case of the said Don Juan de Ocón y Trillo, who was Governor of this province, and who, having pacified and settled the Valley of the *Duy*, and appointed officials who administered it peacefully, was turned out by the said Royal Audiencia from the jurisdiction he had acquired by having conquered said province; and this was done notwithstanding Your Majesty, by his title of Governor and Captain-General of this province, granted to him the administration and captaincy-general thereof, not only as to that already conquered but that to be conquered; the Royal Audiencia in that instance gave the Government of the said Valley of the *Duy* to Juan² Vázquez de Coronado, the Adelantado of this province; and the person who was appointed by the said Adelantado as his deputy lost it.

In accordance therewith and under the conditions stated the Campmaster, Don Juan Salinas y de la Cerda, offers to undertake said pacification and this service for God, our Lord, and Your Majesty, at whose feet he hopes to receive, through his sovereign magnanimity, these and still greater favors.

² For "Juan" read "Gonzalo."

Royal Provisión Granted by the Audiencia of Guatemala to Don Rodrigo Arias Maldonado, Governor of Costa Rica, Empowering him to conquer and settle Talamanca. Doc. 86

GUATEMALA, October 17, 1662.¹

In the City of *Guatemala*, on the sixteenth of October, one thousand six hundred and sixty-two, General Don Martín Carlos de Mencos, Knight of the Order of Santiago, member of His Majesty's Council of war and of the *Junta de Armadas*, (Naval Board), perpetual *Alcalde* of the Royal Palaces of the city of Tafalla, and President, Governor and Captain-General of this Kingdom, said:

That, whereas he has been informed by Don Rodrigo Arias Maldonado, who, on the death of his father, Campmaster Don Andrés Arias Maldonado, was named Governor and Captain-General of the Province of *Costa Rica*, *ad interim* and until His Majesty provides for that office, that he had made an expedition into the territories of the *River Tarire* and adjacent territories, which are inhabited by various tribes of unsubjected and unconquered Indians called *Urinamas*, *Siruros*, *Moyaguas*, and others, with seven *Caciques*, all subject to one chief called *Cabsi*, and had subjected and conquered them, and made them settle upon a site on the bank of said river; that after their instruction in the things of our Holy Faith by the Padre Fray Nicolás de Ledesma, a Friar of the Order of our Padre San Francisco, many had been baptized by the Padre and are prepared to receive the sacrament; that among them are the said *Cacique* and his wife, all having yielded obedience to His Majesty as his vassals; and that he had built a church and a dwelling for the Friar and had appointed for the Indians a Governor and a judge to whom they were subject;

And that the *Tariacas* and their *Cacique* had also yielded obedience to His Majesty, and had made another settlement elsewhere,

¹ Archives of the Indies. Office of the Notary of the Chamber. Guatemala. Impeachments. Bundle 4. Years 1673-1677. Fernández, V, p. 344.

and asked for a priest who might instruct them in the things of our Holy Faith and baptize them, and for a judge who might govern them.

And that having done the aforesaid, it became necessary for him to return to the city of *Cartago*. Here he was encouraged by such a good beginning, and by many residents of that city, who recognized the satisfactory disposition made in the case of the *Talamancas* Indians, who had been subjected in former years, and who on various occasions had risen, and had continued up to the present, in rebellion, and during these insurrections they had destroyed the settlement which was in their country, called the city of *Talamanca*, whereby that province had suffered great injury, not only on account of the ease with which the subject Indians were enabled to go among the settlers, but because of the difficulty of travel and communication with the province of *Panama*. On the other hand realizing the benefits that would flow to the service of God, the welfare of the souls of those idolaters and to His Majesty and the public good of all that country, as a result of the conquest and subjugation of that country, he determined to set out with all the needful arrangements, and in company with the said residents who of their own will had offered to take part in the subjection of the said *Talamancas*, as soon as the season should permit. Whereupon he had sent to His Worship a list not only of the said persons but also of the stores, arms and munitions and supplies which he collected for the said expedition, which are all at his own cost and none at the expense of His Majesty until he succeeds in the settlement of the said city on the site that it formerly occupied, or in some other if it shall appear more desirable, and asked His Worship for license and the full and necessary commission for that purpose, together with the authority to reward the persons who shall accompany him upon the said expedition, and who would thus render His Majesty a service of much importance, a service which has been several times undertaken but without success, although at the expense of the Royal Treasury and under agreements made in favor of those who attempted it;

And that His Worship, having considered the foregoing, and consulted thereon with the members of the Royal Audiencia, and whereas an inquest has already established the truth as to

what has been done by the said Governor, Don Rodrigo Arias Maldonado, and in consideration of his experience and the good dispositions and preparations he has made for the work he promises to undertake, His Worship has agreed and determined to give him, as he does give him, license and commission, as full and ample as it can be made, so that when he deems the time opportune he may go, with the men and the preparations that he states, to subject and pacify the said *Talamancas* Indians, and those who were included in the late rebellion he may pardon in the name of His Majesty for all or any acts committed during the said rebellion, assuring them that the said pardon will be given to them if they return to their allegiance to His Majesty and subject themselves to settlement and a regular Christian life; and as to the rest, who were not connected with the rebellion, he shall attract them with good treatment and kindness, so that they may be instructed in the knowledge of the true religion, giving them to understand that therein lies their salvation and that this is the principal object of the expedition. And for this purpose he shall take one or two Friars, selecting those who seem most suitable to said Governor, so that they may teach the said Indians the things of our Holy Faith and proceed to baptize them when they are prepared for it.

And since it is necessary that the said Governor should take with him soldiers and arms, not only for the defense of his person and of those who accompany him, and for the security of the Friars who must undertake the ministry and preaching of the Gospel, His Worship orders that they shall not be used in any hostile manner against the said natives, except in case of defense against open or treasonable attempts by the said Indians, or if they shall resist with violence, not allowing the said minister to preach or teach them, or unless those who were involved in the late rebellion, having been already once conquered and subject to our Faith, shall become apostate, and refuse obedience to His Majesty and who, although offered pardon and shown the good treatment and kindness aforesaid, shall persistently decline to make use of said pardon or do that which they are under obligation to do; then, in these cases, the military arm may be employed, proceeding to the hostilities as shall be necessary in order to secure the end that is sought, if it can not be done in any other way.

And because it is very proper that not only the said Governor, but also the rest who at their own cost may go to engage in a service so highly estimable to God and to His Majesty the King of our Lord, shall have the reward and remuneration which they deserve, and since His Worship would like to have all the power necessary to amply remunerate them, for the time being, and until the authority thereunto shall come, as a result of the report that he expects to make to His Majesty, he gives to the said Governor license to distribute plots of ground and lands, upon which there may be built, cultivated or established farms by the settlers who shall remain to live in the new settlement, and the others who assist in the expedition, according to the quality of each one, and his service; and the said Governor shall give an account to His Worship, definitely and clearly of the said distribution, and send therewith his opinion as to the remuneration that should be given to the aforesaid, so that so far as His Worship shall not be able to do so, His Majesty may be informed and petitioned to send the necessary authority thereunto to him, as in all cases of those who serve well.

And for greater clearness in this service, and that it may be the better understood in every respect, the said Governor is charged to procure a map of the territory conquered, which shall be sent to His Worship; also he is also charged to take great care of his own safety and that of the men he takes with him, and to treat the Indians well and attract them amicably, so that they may be the more easily subjected as he desires, placing over them as judges and governors persons who shall be suitable and who will cause them to live regularly, and seeing to it that the territory shall be rehabilitated by their labors; and for the foregoing the said Governor may appoint officers and ministers of war and peace, and all shall be under his orders and carry out his instructions in regard to the aforesaid and concerning it.

And in virtue of this decree the necessary direction is given, and he signed it.

DON MARTÍN CARLOS DE MENCOS.

Before me: ANTONIO MARTÍNEZ DE FERRERA.

And in order that its contents may be executed, the Presi-

dent aforesaid has determined that I should deliver this my letter, by which I command Don Rodrigo Arias Maldonado, my Governor and Captain General of the Province of *Costa Rica*, to see the decree and ordinance herewith executed, issued by the said President, General Don Martín Carlos de Mencos, and to respect it, and to carry out and execute it as resolved and declared in said decree, without hindering or exceeding it, or permitting it to be hindered or exceeded in its tenor and form, under penalty of being considered as rendering a bad service to His Majesty.

Done at *Santiago de Guatemala*, the seventeenth of October, one thousand six hundred and sixty-two.

DON MARTÍN CARLOS DE MENCOS.

I, Antonio Martínez de Ferrera, notary of the King and of the Chamber of the Royal Audiencia of *Guatemala* and chief notary of the Government and of war in this district, have caused it to be written by order of its President, Governor and Captain-General.

Registered: Don Min. Alfonso Mazariego.

The Chancellor: Don Min. Alfonso Mazariego.

The King, Don Carlos II, Confers upon Don Rodrigo Arias Maldonado, ex-Governor of Costa Rica, the Title of Marquis of Talamanca.¹

Doc. 87

CHAPTER IV.

FRAY RODRIGO TRAVELS TO THE INDIES WITH HIS FATHER. HE PERFORMS IN THAT NEW WORLD HEROIC DEEDS AND OBTAINS UNUSUAL HONORS.

Fray Rodrigo had not passed nineteen years of age, when Don Andrés Arias Maldonado, his father, secured the position of Governor and Captain-General of the Province of *Costa Rica*, situated between the Provinces of *Nicaragua* and *Tierra*

¹ Extracts from the *Historia Bethlemitica* (History of the Bethlemites; a religious Order of Friars or Monks, known in Spain and America); by Fray Joseph García; Book II. Seville, 1723.

Firme, of the Kingdom of *Peru*, in the Indies; and having to travel into those countries in order to assume possession of his government, the son was taken along in his father's company

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As soon as Fray Rodrigo found himself in *Costa Rica*, he began to employ his ardent genius in military affairs and he started on the career of arms in the capacity of an ensign. In this course he followed his first inclination with so much enthusiasm that while his heart sought promotion his hand earned it, multiplying his services. In a little while he reached the rank of captain in the militia; but it was his own funds that paid for the cost of the company, because it was raised at his expense. While serving in this station, a very difficult affair was presented to him, but he succeeded in accomplishing the undertaking to the great advantage of that province, though with much personal effort. In the whole of the Province of *Costa Rica* there was no sufficient port for the ships engaged in trade upon the North Sea, for which reason the communication between that country and the city of *Cartagena* was impossible or exceedingly difficult, but by great expense and much fatigue he discovered and secured a port for the navigators and made such communication easier.

In order to make sure of this advantageous discovery and that his labors might not be in vain, he brought together a multitude of Indians, who lived scattered about through those mountains, and with whom he formed a permanent settlement in that location. Two noble purposes were achieved by this act: by one the Crown was benefitted, because he succeeded in establishing the new port; and on the other hand a service was rendered to God, because in gathering those barbarians into a settlement he offered them not only the benefits of a civilized life but also Christian customs.

Meanwhile, the news of this unusual accomplishment became known to the President of the Audiencia of *Guatemala*, and getting in this way a good idea of the merits and qualities of Fray Rodrigo, he conferred upon him the *Corregimiento* of *Turrialba*. In this office he served with much energy, and he had the felicity to secure what is rarely achieved in the drudgery of administration—he became quite celebrated and was universally

applauded throughout the country. In this way the good fortune of Fray Rodrigo went on increasing, when suddenly his father died, having been taken seriously ill at the very beginning of his administration. By reason of this grievous vacancy Don Rodrigo was considered as a worthy successor of the greatness of his sire, and while he was yet young—he was barely twenty-two years old—he found himself promoted to the high office of Governor and Captain-General of that same Province of *Costa Rica*.

The matters which he undertook and for the most part succeeded in carrying out, upon finding himself in such a high station, were worthy of his noble birth and the greatness of his employment. The Province of *Talamanca*, which for upwards of fifty years at that time had been in revolt against the Crown, lived, with its inhabitants, the mountain Indians, in the errors of heathenism. The grief occasioned by the thought that this barbarous people should continue disobedient to the King and outside the fold of the Divine and the Ecclesiastical Law, very deeply wounded his loyal and Catholic heart, and to obtain relief from this burden, which he could not endure, he resolved to turn his attention to the remedy for so great an evil. He occupied that country effectually, taking with him one hundred and ten men and, engaging its savage inhabitants in battle, he soon made them familiar with the valor of his arm and the strength of his zeal. He employed more than 60,000 pesos of his own means and underwent the greatest fatigues in carrying out this most difficult enterprise; but he succeeded most happily in conquering that province entirely and in overcoming its obstinate rebellion. He founded in that country various settlements, built appropriate churches and brought in evangelical preachers, until he succeeded by his strenuous activity in securing the subjection of *Talamanca* to obedience to its legitimate Royal Master, in having it governed by humane laws, and, what is still better, converted it from its blind heathenism to an observance of the doctrines of the Gospel. The spiritual workers who were taken by Fray Rodrigo for this conquest of souls, were Friars of my Holy Order, and I cannot refrain from expressing my gratitude for the justice that led him to confer upon them the right to those missions, they having been the first, after the Apostles, who lifted up their voices before the Indians, declaring the Gospel of Jesus Christ.

* * * * *

Following then the order of history, I say that the Most Reverend Fray Rodrigo, thus clearly recognizing the right of the minor Friars, and considering the results attained by them for Heaven, selected them as Missionaries for his conquest of *Talamanca*; and he was not mistaken in his choice, since by the labors of those Friars he saw his desires reach a rich fruition in the conversion of all the people of that country.

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CHAPTER V.

EXEMPLARY CALLING OF FRAY RODRIGO FOR THE BETHLEMITE INSTITUTION, FORESEEN BY THE VENERABLE PEDRO DE SAN JOSEPH AND OCCASIONED BY A WONDERFUL EVENT.

Fray Rodrigo had just passed his twenty-sixth year when his Government and Captaincy-General of *Costa Rica* came to an end. Finding himself then without any occupation, he withdrew to the city of *Guatemala*, whither he was drawn by the strong leadings of Divine Providence, in order that his fortunes might be bettered. Up to this time he had followed the leaning which strongly drew him to seek for the honors and rewards of this world; but he had now reached the hour foreseen and destined by the Superior Will, when he was to change his course and pursue a safer road. Before the ultimate purposes of this Will could be recognized by the slow processes of experience, the change impending for Fray Rodrigo became manifest, for the Most High, who has cognizance of all things, was pleased to bestow upon the Venerable Pedro de San José tidings that the moment was at hand when Fray Rodrigo was to undertake the career for which he was destined in his Bethlehemite Brotherhood.

CHAPTER VI.

HAVING JUSTIFIED HIS CALLING, FRAY RODRIGO RECEIVED THE HABIT OF A BROTHER OF THE THIRD ORDER OF SAN FRANCISCO AND RENOUNCED ABSOLUTELY ALL THE HONORS AND EMOLUMENTS OF THIS WORLD.

In the light of past events which had loosed him from error, the determination shown by Fray Rodrigo was very clear, and he

felt himself heroically impelled to follow this high calling; but it was not to be realized so speedily as he desired, for its immediate execution was suspended by the mature judgment of the Venerable Pedro de San José.

The vows which are inspired by misfortunes are rarely ever well considered, because the burden of the distress which is felt at the moment makes their execution appear less difficult. Such vows are very often the effect of mere temporary passions which, having no sufficient outlet, are quickly given up, leaving a deep stigma of inconstancy. Having this truth in mind, the Venerable Servant of God meditated upon the calling of Fray Rodrigo and by restraining him sought to put to the test, for the first time, his heroic resolution. Well did he know that his calling was sure and that it must be put into effect, for his knowledge came from celestial sources; but he did not wish to imperil its sure fruition by human experiments. For this reason he caused him to be greatly disappointed in his desires for some days.

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After he had been chastened in this manner, the Servant of God commanded him to return to the Hospital, when, at last assured that he had truly given up all, he invested him with the Third Order of Penitence of my Sainted Father San Francisco, which was the one that then held all the Brothers of Bethlehem.

For this coarse vestment Fray Rodrigo, with an unselfish determination, exchanged the fine linen with which he had clothed his delicate body and the exquisite brocades and costly cloths which had served to decorate his person. For the poor House of Bethlehem, which was still a mere hovel at that time, he left the spacious halls of a palace. For the companionship of a man despised in the eyes of the world, he left the society of Counts, Dukes and Marquises. His esteem for worldly things he turned into disdain; his abundant riches he exchanged for poverty and mendicancy; he left great honors for a position of the very lowest; and he did all this so gladly, and was so constant in his calling, that even when honors and emoluments sought him out he fled from them so that they might not reach him.

Our Catholic Monarch, Don Carlos II, having heard the news of the noble deeds of Fray Rodrigo during the time that he conducted the Government and the Captaincy-General, desired to

reward his zealous loyalty, by giving to him the title of Marquis of *Talamanca*, on account of the conquest he had made of that province; and, in order to recompense him for the expenses of the expedition he had undertaken, appropriated for him in the Royal financial budgets Twelve Thousand ducats of silver.

These *Cédulas* came into the hands of this emancipated man when two months only had elapsed since his wonderful change; but he renounced these new honors and treasures with the same valiant determination with which he had abandoned all the others that he had previously possessed.

Doc. 88 Subjection of Talamanca. Statement of Fray Juan de Matamoros in Regard Thereto.

CARTAGO, May 4, 1675.¹

Fray Juan de Matamoros, a Friar of the Order of Our Father San Francisco, a teaching priest under the Royal patronage of the District of *Chirripó* and the *Urinamas* Indians of *Talamanca*:

I certify: that from the second of February of this present year to the fifteenth thereof, I baptised and anointed with oil and chrism, One hundred and twelve Indian men, children and women of the Tribes of *Cavécaras*, *Nucuevas*, *Cúruos*, *Chicaguas*, *Tariquí*, *Taricí*, *Urinamas*, *Urarubós*, who are located in *Talamanca* from the port of the River *Tariri* on the North Sea as far as the *River Estrella*, and that there remain to be taught and baptised about five hundred families of the said tribes, who as a result of the efforts, care and expense of the Campmaster, D. Juan Francisco Sáenz, Governor and Captain-General of this province, are subjected, and those so baptised are settled in the villages of *Curruró* and *Conamará*. And I hope with the help of God that the subjection of the great number of barbarous people who are in these tribes will go on under the kind treatment that is shown to them by the said Governor and Captain General, with the docility the natives are known to have.

And in order that it may appear to the King, our Master, in his Royal Council of the Indies, and that he may grant, accord-

¹ Archives of the Indies. Audiencia of Guatemala. Letters from the Governors. Fernández, V, p. 353.

ing to custom, the ornaments and bell of which there is need in the said subjection and settlement that shall be made, a petition will be made by the Campmaster Don Juan Francisco Sáenz, Governor and Captain-General of this province.

Dated in Cartago, May fourth, 1675.

FRAY JUAN DE MATAMOROS.

Don Juan Francisco Sáenz, Governor of Costa Rica, to Doc. 89
H. M. the King.

CARTAGO, March 6, 1675.¹

SEÑOR:

On the twenty-sixth day of April, one thousand six hundred and seventy-four, I received possession of this Government of *Costa Rica*, and in a few months there came into my hands several Royal *Cédulas* of Your Majesty in which you were pleased to inform me of the designs of the French and English, and of the declaration of the war with the Crown of France, and of other matters pertaining to your Royal service; and in particular Your Royal Majesty is pleased to direct me to use every care and keep good watch for the defense of the forts and strongholds which this province has upon the North Sea, and to see to it that they are governed and equipped with arms and munitions, and that the quota of paid infantry is kept full, and that I should give to Your Majesty full information of everything that occurs.

In compliance with the Royal Order, I cannot refrain from stating to Your Majesty that I found this province greatly lacking in means for its defense, not even sufficient to support the watchmen that are placed on the coast of the North Sea above the rivers *Matina* and *Suerre*, and with the paid company that this province has for a garrison so depleted that its number does not exceed thirty-six men, and they are so badly provided for that on account of their great necessities, hunger and rags, each day the number grows less.

For this reason the residents here continue in fear of being surprised by the enemies who generally infest these coasts, robbing the farms that are therein and compelling the desertion of a

¹ Archives of the Indies. Audiencia of Guatemala. Letters from the Governors. Fernández, V, p. 349.

great part thereof, for they are without defense; nor do the watchmen have any security, having to be on the shore without any protection, so that the enemy captures, harrasses and kills them and enters the territory with the assurance that there is no danger, since the reports of their incursions arrive at the city late. This is the reason why this province is so poor, and labor will not produce an ordinary living, as a result of which there is a daily lessening of the number of the people, although it is one of the best provinces that Your Majesty possesses and the most desired by the enemies, not only for its fertility but because of its communication with both seas. In seven marches they cross from one sea to the other, and if the enemies (May God prevent it), should put foot in it, it is certain that in these kingdoms there is no power that can drive them out, because of the natural strength of the country, since with very little fortification it can be made impregnable.

It is this province which supports all the traffic, for if there were not this passage to *Panama* from *Nicaragua* and *Segovia*, from whence pass year in and year out sixty mules for the transit from *Panama* to *Puertobelo*, the galleons would not arrive at *Puertobelo* and it would be necessary to look for a new port by which the treasures and cargoes might be transferred from *Peru* to Spain.

Its coast runs East and West, one hundred and fifty leagues, from the *River San Juan*, which borders upon this jurisdiction, as far as the ESCUDO DE VERAGUA; and North and South, from *Suerre* on the North Sea, seventy leagues, to *Caldera* on that of the South. It is productive in all fruits and in cattle; it has ports and safe anchorages on both seas, with all that is needed for the building of many fleets.

It is rich in mines of silver, gold, copper, tin, lead and iron, of which I have made some discoveries in different parts of this province, and I hope to place at the Royal feet of Your Majesty one of the greatest discoveries that have been made in these kingdoms for the increase of the monarchy and that this province may again merit its pristine name of "*Costa Rica*." (Rich Coast).

There are but five hundred inhabitants of all classes, Spanish, half-breeds and mulattoes, and about five hundred tributary In-

dians in twenty-two villages. This scarcity in population causes great fear in their hearts, for certain reports have come to us from some prisoners in this city who were captured on the shores of the North Coast during the continuous forays that are made against us in those parts, and also because the country is without defense, for in all this province not a handbreadth of fortification has been raised, either on the coast or in the passes of the mountains. And if I had not received, in reply to my letter, from your President of *Panama*, Don Alonso de Mercado, assistance in the shape of two hundred fire-arms, (although the worst they had in *Panama*), powder, ropes, bullets and iron for equipment, there could not have been collected in case of need fifty good weapons; and although I have petitioned your Viceroy of *Peru*, Marquis de Malagón, and the Presidents of *Panama* and *Guatemala* for money for the relief of the infantry, and power to fill up its ranks with a hundred foot-soldiers, up to now nothing has been done; in *Guatemala* the excuse is made that they are building a fort on the *River San Juan*.

Furthermore, in this province, on both coasts, three tribes of Indians are at war: the *Urinamas*, *Talamancas* and *Borucas*; the case of the *Talamancas* is most serious for the reason that the subjection of the *Urinamas* and *Borucas* is now well advanced by me, and I have sent to them teaching curates, and their census is to be taken. But as to the *Talamancas*, according to certain reports from Indians and prisoners, the enemy (the pirates) is treating with them so as to be able with greater security to invade this province, which the English call their "jewel," and had I three hundred families with which to settle *Talamanca* in its sea-ports, I would have undertaken its conquest, this being greatly to the service of God, as well as to Your Royal Majesty, on account of the wealth of gold that it contains, and because by this conquest all this province would be given security: the conquest would be easy and the risk and expense small.

And in order that this province may have some security, avoiding excessive expense for the Royal treasury in fortifications, which later shall be needed, it is necessary that the paid company shall have the full quota of one hundred soldiers, and that their pay be delivered by Your Royal Majesty at the Royal treasury in *Panama*, payable every four months.

Two towers like those of the Kingdom of Valencia, the cost of which will be as much as four thousand pesos, are needed for the security of the watchmen; with these they will be able to send sure and prompt news to this city, which constitutes the principal point of defense, and to occupy before the enemy the narrow passes through the mountains.

On the twenty-eighth of February of this year I received notice from the Governor of *Nicaragua*, who got it from *Cartagena*, that forty Frenchmen were putting out to sea from the Island of *Tortuga* and other places, and destined, according to report, for *Cartagena*; for this reason a pass in the mountains forty leagues from this city was fortified.

I send with this to Your Majesty the certificate of Ensign Nicolás de Céspedes, deputy of the official treasurers of the Royal Finances of these provinces, by which it appears that nothing whatever remains in this Royal Treasury for war expenses.

I have informed Your Royal Majesty in the letter of March sixth of this year of the occurrences up to the present time.

Now I desire to inform Your Royal Majesty of the condition of affairs as to the subjection of the barbarous Indians that are located on both coasts. By the certificate transmitted herewith and executed by the Padre Fr. Juan de Matamoros, a Friar of the Order of San Francisco, and a teaching curate under Royal patronage, it appears that more than Five hundred families of different tribes are subjected and that One hundred and twelve persons, men, women and children of all ages have been taught and baptised and have been collected into two settlements outside their *palenques*, until others are provided in which each tribe must live; and I am continuing the subjection of a great many tribes and savages of which the coasts of the North Sea and South Sea are full.

And both for those that are newly subjected, as well as those that are being subjected, it is necessary to settle them and build them churches in their own territories, the most of which are on the coast of the North Sea, and along the *Tariri* and *Estrella* rivers, but for this work, so greatly now needed for the service of God, bells are lacking as well as all the ornaments for the two churches which are now needed for the administration of the Holy Sacrament.

Therefore, I beg that Your Royal Majesty may be pleased to relieve this need with your powerful and Royal hand, and order that some ornaments be sent together with two bells, for there is no one in this province who can give this charity, every one being so poor, as I have stated to Your Royal Majesty; and, besides being of so much service to God to bring these natives to the light of the Holy Gospel, this measure will be a great safe-guard to this province, since it will hinder communication between the piratical enemies in its ports and harbors and those of *Talamanca* and the *Estrella* river and other places.

That is all I have to submit to Your Royal Majesty up to the present time; prostrate at Your Royal feet I beg that you may command what shall be for your greatest service, having in view the great importance to Your Royal Majesty of the preservation of this province, it being the heart of all the rest of these kingdoms on both seas.

May Our Lord keep the Catholic and Royal person of Your Royal Majesty as is so necessary to all Christendom.

Cartago, March twentieth, One thousand six hundred and seventy-five.

D. JUAN FRANCISCO SÁENZ.

Don Juan Francisco Sáenz, to His Majesty the King. Doc. 90
Invasion of the Pirates. Situation of the Province in
1676.

CARTAGO, December 25, 1676.¹

SEÑOR:

I received the Royal letters which Your Majesty has been pleased to forward to me, and note in particular that which refers to the entry of Your Majesty into the government of your kingdoms (which may Our Lord increase), for which many devotions, praises and festive rejoicings have been celebrated in this city and throughout the province with the affection which your new and loyal vassals desire to show, and I am informed of all that Your Majesty is pleased to command me, and will obey and cause your Royal orders to be kept and observed.

In the letters of March sixth and May twentieth, 1675, I in-

¹ *Ubi supra*. Fernández, V, p. 360.

formed Your Majesty of the state in which I found this Province of *Costa Rica*, and that I had received different Royal *Cédulas*, dated January 30, June 22 and September 11, of 1672, and January 16, 1673, with reports of the designs of the French and English, and note in particular that Your Majesty has instructed me to have great watchfulness and care in the defense of this province and its ports on the North Sea, and to well fortify and equip the castles and forts, and to keep filled the quota of the paid infantry; and to give to Your Majesty a full account of everything, as I did in the said letters.

Now for new reasons I come again to state to Your Majesty that this Province of *Costa Rica* is the largest and most extended of the Presidency of *Guatemala*; that *its jurisdiction is from the mouth of the River San Juan del Desaguadero of Granada as far as the Escudo de Veragua*, one hundred and fifty leagues from East to West, and North South from the port of *Matina* to that of *Caldera*, on the South Sea, being forty leagues at the narrowest part.

Its population is made up of more than six hundred residents, Spanish, half-breeds and mulattoes, dwelling in this city of *Cartago* and its valleys.

Dwelling in the city of *Espíritu Santo de Esparza* and in its valleys on the coast of the South Sea are one hundred more.

There are twenty-two villages of five hundred Indians, more or less, paying tribute, not counting children and those reserved.

There are on the two coasts of the North Sea and of the South Sea a great many warlike Indians, in three tribes: in the South there are the *Borucas*; and in the North the *Urinamas* and *Talamancas*, with whom it is reported that the English and the French have friendly relations.

The *Talamancas* are natives who have been in rebellion for more than sixty-eight years; they are the ones who burned the city of *Talamanca* and slaughtered the Spaniards. *They are the masters of the River Estrella*, so well known for the gold that is found there.

Of the ports that this province has on the North Sea, the principal ones are: *Portete*, *Punta Blanca*, and the River of the Valley of *Matina*, about four leagues apart, the residents of this province having on their banks the principal means of entry to their farms

in which they have many trees of cacao and vanilla and many other things. These ports, not being so much frequented by enemies, and there being no resistance therein, there will be produced a greater output of cacao and sarsaparilla and other things than in *Caracas*, *Maracaibo* and *Honduras* and the Royal Treasury will be greatly increased thereby.

In *Portete*, *Punta Blanca*, *Matina*, *Suerre*, *Jiménez*, and in other ports which this province has on the coast of the North Sea, and in the rest of the province, there is not today, nor has there been a castle, fort or any other kind of fortification to protect it, for which reason it is in great jeopardy and its inhabitants very fearful of some evil event, since they are only defended by being continually in arms, without being left a week in peace; and if the nobility of this province were not so courageous and the rest of the inhabitants had not followed their example with so great a zeal, and had not the soldiers been so efficient who are at the head of the regiment (*tercio*) of this province, which is made up of twelve companies, a camp master, sergeant major and two aides, three companies of horse and a commissary general, I do not doubt there would have been some misfortune as a result of the many attempts of the enemy to occupy it, and in particular in the 1666, when General Mansfelt and Charles Morgan with a force of more than 700 men entered as far as the village of *Turrialba* and were repulsed by my predecessor, the Camp-master Don Juan López de la Flor.

And the 30th day of last June of this year, 1676, leaving his fleet at *Portete*, the enemy entered by the *River Matina*, in canoes, landed on the beach at *Moín*, at four o'clock in the morning, with a force of more than eight hundred men and took possession of the whole of the Valley of *Matina*. And it was very fortunate that the watchmen were able to retreat and that the inhabitants fled to the mountains and abandoned their houses. On the second day I received reports of the invasion, and on the third, I went into the country with as many as five hundred men and two hundred Indian archers, the rest of the province following me, and forced the enemy to take to their ships, with the loss of more than two hundred men drowned and slaughtered. Three canoes went astray and I captured one together with the *Urinamas* Indians that they had as guides. These and the prisoners that are now

in this city, declare that the design of the enemy is to secure access to the South Sea by occupying this province.

The greater part of the expense of this expedition was defrayed out of my own pocket, because there was no money for war expenses in the Royal Treasury. It was nineteen days that this lasted, from the time I started out to oppose them, until I came back after the enemy had set sail.

The supplies that this province has for war are shown by the certificate herewith of the Treasurer, official judge of the Royal treasury of this province, Nicolás de Céspedes, and deputy of those of *León*.

With these, and the continual relief furnished to my predecessor by the Count de Lemos, the Viceroy of *Peru* and by the Presidents of *Guatemala* and *Panama*, the watchmen were maintained and the company paid that served as garrison in this city. This is the only defense, and it is now so much weakened by lack of assistance that its number does not exceed thirty-six men; and although I have repeatedly begged the Marquis de Malagón, Viceroy of *Peru*, and the Presidents of *Guatemala* and *Panama*, as Your Majesty commanded by Royal *Cédula* of November 20, 1666, only Don Alonso Mercado Villacorta has helped me with forty pesos and two hundred firearms, powder and munitions; and General Don Fernando Francisco de Escobedo, President of *Guatemala*, with fifty pesos. With this help I have governed since April 26, 1674, when I took possession of this office, until now, without having had any other, for which reason this province is in great need; as to all of which I have forwarded testimony.

In this province alone among them all not one of the invasions of the enemy has been successful, as they have been in *Portobelo*, *Chagres*, *Panama* and twice in *Granada*, and in many other places.

And lastly, on the 12th day of May, of this year of 1676, an attempt was made against the city of *Segovia*, Government of *Nicaragua*, adjoining this province, by going up the river and into the country more than one hundred and eighty leagues with the Indians *Xicaques*, Indians who are the friends of the English; they sacked the city and burned the church, and in retiring they attempted on that 30th of June to surprise this province.

Today, at heavy expense to the Treasury, most of the places

where the enemy has entered are being fortified, and in particular the River of *Granada*,¹ each with a Royal fort.

In this province only has there been no effort to fortify, not even in its ports. These ports are the most important and of the greatest consequence to the enemy, and the most desired for communication with both seas, since in seven marches it may be traversed from the Port of *Matina* on the North Sea to the Port of *Caldera* on the South Sea, and also because of the strength of the land, its good ports on both seas, with famous shipyards and timber for many manufactures, and abundance of all kinds of cattle and supplies of wheat and maize, cacao, sugar, and tobacco, and many other products.

And aside from the danger of allowing the enemy to secure ports on the South Sea and the North Sea so close to *Portobelo* and *Panama*, and the success I have had personally in discovering many mines which are now beginning to be worked, the fact must be considered that this country affords the only route for more than forty mules for the galleon commerce with *Lima* that passes through this province from *Nicaragua* and from thence to *Panama*, and that there is no other way that they can take.

So that, if this province should be lost (which may it please God not to permit), this commerce from *Peru* by way of *Panama*, must cease, not only for lack of mules but because the port of *Caldera* is so close to *Panama* that it is navigated in eight days; and there will be no safe port nor province on the South Sea that the enemy will not disturb; for which reason, and because this province is the heart of these kingdoms, and with a very few fortifications could be made impregnable by the enemy and strong, this matter should be considered and care taken that the enemy may not succeed.

This province being three hundred leagues from *Guatemala*, and the last one that borders upon the kingdom of *Tierra Firme*, the Presidents of *Guatemala* have not recognized it; but I have seen it in every detail and have given an account thereof, thus fulfilling my obligation, both to Your Majesty and to the President of *Guatemala*.

And considering the great burdens upon the Royal treasury, and those under which I am placed by my new desire to serve

¹ The River San Juan in Nicaragua.

Your Royal Majesty, I am led to place at the Royal feet of Your Majesty the propositions in the memorial herewith, to the end that, being in the service of Your Majesty, I may continue my service, and Your Majesty may be served as in my zeal and disinterestedness I desire, by fortifying the ports of *Portete* and *Matina*, each with a castle and a tower, and a hundred garrison places, all at my own cost, without the Royal treasury, the province or the inhabitants spending anything, either in the costs of the forts or in the perpetual arrangements for the salary of the infantry, according and as stated in the said memorial; with these fortifications these coasts will be secured and without them there will be great risk of losing these provinces.

May God keep the Catholic and Royal Person of Your Majesty which is so necessary to Christendom.

Cartago, December fifth, one thousand six hundred and seventy-six.

DON JUAN FRANCISCO SAENZ.

COMPILATION OF THE LAWS OF THE INDIES.

Doc. 91 Law Declaratory of the Authority to be Given the Laws of this Recopilación.

MADRID, May 18, 1680.¹

DON CARLOS, etc.

To you, the Dukes, Counts, Marquises, Noblemen (*Ricos hombres*); and to the Presidents, Governors, Grand Chancellor and members of our Council of the Indies; and to our Viceroys, Presidents, and Judges of Royal Audiencias, Governors, *Corregidores*, *Alcaldes mayores* and *ordinarios* and our other Judges and Justices, Cashiers of Accounts and Officials of our Royal Treasury of these Kingdoms and of the Indies, Islands and Mainland of the Ocean Sea, and the Prior and Consuls of the

¹ *Recopilación de Leyes de los Reynos de las Indias*. Madrid, 1681.

Consulates of Seville, *Mexico* and *Lima*, and to our President and Official Judges and Counsellors of the *Casa de Contratación* of Seville, Generals, Admirals, Chiefs and other officials and officers of the squadrons and fleets and ships engaged in the trade and navigation of the Indies; and to all other persons to whom the contents of these presents may or can apply:

Know ye, that from the discovery of our Western Indies, Islands and Mainland, of the Ocean Sea, the first and chief care of the Sovereigns who have been our glorious progenitors and of ourselves has been to make laws by which those Kingdoms should be governed in peace and justice, and there have been issued many *cédulas*, letters, *provisiones*, ordinances, instructions, governmental documents and other despatches, which, by reason of delays and the distances between some provinces and others, did not come to the knowledge of our vassals, and thereby grievous damage may have been occasioned to the good administration and to the rights of interested parties.

And We, being desirous of attending to these difficulties, and considering that these affairs are so diverse and the cases so many and so arduous, and that it is right that everything which is provided by us should be brought to the knowledge of all, to the end that the laws may be universally known by which they are governed and which they ought to observe in matters of government, justice, war, finance and the rest, as well as the penalties incurred by transgressors;

And, having caused an examination to be made with great diligence and care of the books in our departmental offices and all the despatches, which by reason of the long time that has elapsed have come to be exceedingly numerous, and seeing that some do not appear to have the authority, deliberation, disposition and clearness which are required in our Royal Laws, and are therefore not sufficient, nor can action in any matter be properly taken thereunder;

And considering that the Sovereigns who were our progenitors directed and commanded the collection of everything down to their own times that had been theretofore provided and settled for the clear decision of these matters, and especially those in

the years 1552 and 1560; and various despatches having been issued, at the petition of Doctor Francisco Hernández de Liébana, the *Fiscal* of our Council of the Indies, and addressed to Don Luis de Velasco, Viceroy of *New Spain*, directing him to cause to be gathered together the *cédulas*, *provisiones* and paragraphs of letters, relating to the good administration and justice which should be carried out in our Royal Audiencia of *Mexico*, and to print the same, he commissioned the Licentiate Vasco de Puga, a Judge Auditor of the said Audiencia, to undertake that work, and the latter gathered and printed a book of *cédulas* in the year 1563;

And Don Francisco de Toledo having gone out as Viceroy to *Peru*, with special instructions to cause to be compiled at once all of the *cédulas* which might be found, he directed the compilation of a book, divided into titles and subjects; but this work was not carried out on account of it having been arranged that it should be done in these Kingdoms (of Spain), where in the year 1560 the King, Don Philip II, commanded the collation and publication of the laws and *provisiones* issued for the good administration of the Indies, so that they might be known and understood by everyone, discarding those that were then no longer suitable and providing anew what was lacking, declaring and harmonizing whatever was doubtful and contradictory, distributing them by their titles and cognate subjects, printing and publishing only those under the authority of the Council and its ordinances, which were ordered to be kept and executed by *cédula* of September 24, 1561; but on account of our Council of the Indies being greatly occupied, in order to provide in some way for this need, it directed Diego de Encinas, an employee of the Department, to copy the *provisiones*, *cédulas*, paragraphs of ordinances, instructions and letters, issued and despatched at different times, down to the year 1596, which made four printed volumes, but these not having the needful arrangement and distribution, did not fulfill the purpose of the compilation in a convenient form.

In the year 1608, while the Count of Lemus was president of the Council, a Committee was appointed and a room was set apart so that the Licentiates Hernando Villagómez and Don Rodrigo de Aguiar y Acuña, of that Council, might take up this work and settle its uncertainties; but the latter, on account of the inter-

ference which it caused in the duties incumbent upon their office were unable to carry it out; and notwithstanding the Licentiate, Don Fernando Carrillo, later President of the Council, took especial pains that it might be completed, he was not able to accomplish it for the same reasons. But it being so greatly needed, and of such importance, it was then entrusted to the Licentiate Don Rodrigo de Aguiar, who undertook it, with the aid of the Licentiate Don Antonio de León, a lawyer and Judge of the *Casa de Contratación* of the Indies; and in the year 1628, when the long delayed work was finished, in order that a knowledge of the resolutions and decisions therein contained might be had, the book was ordered and provided for, which up to that time had gone under the designation of "Abridgements of the General Compilation of Laws."

On account of the death of said Don Rodrigo de Aguiar, the work was pursued by the Doctor Don Juan de Solórzano Pereyra, belonging to the Council itself, its Governor then being Count de Castrillo, who also took special interest in the successful completion thereof.

In the year 1660 the Licentiate Joseph González, the then Governor of the Council, having gone over, with all of the Council, what had been done up to that time, and having consulted with us, it appeared desirable to form a committee, made up of the Governor and the Licentiates Don Antonio de Monsalve, Don Miguel de Luna and Don Gil de Castejón, who were succeeded by Don Alvaro de Benavides, Don Tomás de Valdés, Don Alonso de Llanos, Don Juan de Santelices, Don Antonio de Castro, Don Juan de Corral and Don Diego de Alvarado, all belonging to our said Council of the Indies, and being assisted by the Licentiate Don Fernando Ximénez Paniagua, a lawyer and Judge of the *Casa de Contratación*, so that they might advise and resolve with the Council upon the points which might require the most deliberation.

Thereupon, the Doctor Don Francisco Ramos del Manzano, the Governor, the Count of Peñaranda, the Count of Medellín and the Duke of Medinaceli, Presidents of our said Council of the Indies, continued this same labor, recognizing how greatly it was desirable to our Royal service and the welfare of the public

that it should be prosecuted and perfected, and using the necessary means in order that it might have the successful issue that We desire and go forth with the proper authority.

Wherefore, the Prince Don Vicente Gonzaga, being Governor of the Council, and having consulted with us, We resolve and command that the laws in this book contained and given for the good government and the administration of justice of our Council of the Indies, the *Casa de Contratación* of Seville, the Eastern and Western Indies, Islands and Mainland of the Ocean Seas, both North and South, and of the voyages, armed fleets and navies thereof, and everything connected therewith by means of the said Council—that they shall be kept and compiled with and executed, and that under them shall be decided all the suits and matters that therein and in those Kingdoms shall arise, though some may be newly made and ordered and not published or promulgated, and though they may be different or contrary to other laws, paragraphs of letters and decrees of these our Kingdoms of Castile, and *cédulas*, letters granted, *provisiones*, ordinances, instructions, governmental documents and other despatches, in manuscript or printed, as to all of which latter it is our will that from now forward they shall not have any authority whatever, nor shall any judgment be made thereunder (being decided in some other form or expressly revoked, as by this law, for greater abundance, We revoke them), but only by the laws of this *Recopilación*, observing in default thereof, what is commanded by Law II, Title I, Book II of this *Recopilación*; and leaving in their force and vigor the *cédulas* and ordinances given to our Royal Audiencias, in so far as they are not contrary to the laws herein;

And when it has been printed, a volume and book shall be placed in the Archives of our Council of the Indies, corrected and signed by the members of our said Council, which shall be registered as the original, so that in the future if any doubt or difficulty should arise concerning the text of the said laws, the same be corrected or amended by said original; and likewise another volume and book shall be deposited in our Archives of Simancas, corrected, amended and signed by the members of the same council, and compared and confronted therewith, and this shall remain

therein and have the same authority as a record and original; and this is our will.

Given at Madrid, on the eighteenth day of May, in the year one thousand six hundred and eighty.

I, THE KING.

By command of the King, our Master:

DON JOSEPH DE VEYTIA LINAGE.

Don Vicente Gonzaga.

Don Bernabé Ochoa de Chinchetru.

El Conde de Canalejas.

Don Diego de Alvarado.

By the Grand Chancellor,

DON FRANCISCO DE SALAZAR,

his Deputy.

Registered:

DON FRANCISCO DE SALAZAR.

BOOK II, TITLE I, LAW I.

Doc. 92

Let the Laws of this Recopilación be Kept in the Form Prescribed and in the Cases to Which they Refer.

Don Felipe IV. in this *Recopilación*. Having considered how im-

portant it is that the laws given

for the good government of our Indies, Islands and Mainland of the Ocean Sea, North and South, which have been issued in various *Cédulas*, *Provisiones*, Instructions and Letters, be gathered together and reduced to this body and form of law, and that they be kept, fulfilled and executed;

We command and order, that all the laws therein contained be kept, fulfilled and executed as Our laws, according to, and in, the form given in the law which is set forth at the beginning of this *Recopilación*, and that those only shall have the force of law and pragmatic sanction in that which they decide and determine; and if it should be desirable that there others be made besides

those contained in this book, let the Viceroy, Presidents, Audiencias, Governors and *Alcaldes mayores* advise and inform us as to the same through the Council of the Indies, giving the motives and reasons why they are submitted, in order that, being understood, such resolution may be taken as is most desirable; and they may be added in a separate volume.

And We command that no change be made in the Municipal Ordinances and Laws of each city, and those that were made by any communities or bodies politic, and the Ordinances for the welfare and benefit of the Indians made or confirmed by Our Viceroy or Royal Audiencias for their good government, and which may not be contrary to those of this book, are to continue in effect and be observed as they were, being confirmed by the Audiencias, until such time as the Council of the Indies may approve or revoke them; and as to which may not be decided by the laws of this *Recopilación* for the decision of causes and their determination, the laws of the *Recopilación* and Statutes (*Partidas*) of this Kingdom of Castile shall be kept, in conformity with the following law (Law II).

Doc. 93

BOOK II, TITLE I, LAW II.

Let the Laws of Castile be Kept in Those Matters Which may not be Decided by the Laws of the Indies.

The Emperor Don Carlos and the Governing Empress in the Ordinances of Audiencias of 1530. Don Felipe II, in Ordinance 312; and Don Felipe IV, in this *Recopilación*.

We order and command, that in all the cases, matters and suits, wherein the action which should be taken may not be decided nor declared by the Laws of this *Recopilación*, or by *Cédulas*, *Provisiones* or Ordinances issued for the Indies and not yet revoked, or by those which are promulgated by Our order, the laws of Our Kingdom of Castile are to be kept, in conformity with the code of Toro, not only as regards the substance, resolution and decision of the cases, matters and suits, but in the form and order of procedure.

Let the Council Hold Supreme Jurisdiction Over of the Indies, Make Laws and Examine Statutes, and Let it be Obeyed Therein and in Those Kingdoms.....	94	291

Don Felipe II. in Ordinance 2
of the Council; and Don Felipe
IV. in those of 1636.

Inasmuch as the members of our Council, with full power and authority, serve us and assist in the fulfillment of the obligation by which We are bound as regards the welfare of such great Kingdoms and Lordships, it is Our will and pleasure that the said Council shall hold the Supreme jurisdiction over all Our Western Indies, discovered and to be discovered, and over the matters which may arise therein or relate thereto; and for the good government and administration of justice it may order and make, with Our advice, the general and special Laws, Pragmatics, Ordinances and *Provisiones* which may at any time be desirable for the welfare of those provinces; and it shall also see and examine, in order that We may approve and command to be then kept, all Ordinances, Constitutions and other Statutes which may be made by the Prelates, Chapters, Councils and Convents of Religious Orders, and by Our Viceroy, Audiencias, Councils and other public bodies of the Indies, in which, and in all the other Kingdoms and Lordships, in the things and affairs of the Indies and the dependencies thereof, Our said Council shall be respectfully obeyed, in the same manner as are the Council of Castile and Our other Councils in matters which pertain to them; and their *Provisiones* and commands shall be in everything and by everybody complied with and obeyed in all places, both in these Kingdoms and in those, and by all persons whatsoever.

Doc. 95

BOOK II., TITLE II, LAW VI.

Let the Council Cause Report to be Made of all Matters Concerning the Indies Which may Become Matters for Administrative or Legal Action.

Don Felipe II. in Ordinance 3 of the Council. Don Felipe IV. in the Ordinance 6 of 1636.

See the Laws 26 and 69 of this Title and 47, Title 6 of this Book.

Whereas no matter can be understood or duly acted upon if those who shall have to conduct and determine the same do not know beforehand the purport of it, We order and command that those of Our Council of the Indies, shall always, with particular study and care, have reports made, and conduct a full and true investigation, of all matters concerning the condition of the Indies, both on land and sea, and whether natural, moral, perpetual, temporal, Ecclesiastical and Secular affairs, or relating to the past, the present, or the future time, which may become matters for the administrative or legal action. And they shall keep a book with the said reports in the Council, and shall be careful with the correspondence of the Viceroy, Audiencias and Ministers, in order that each year they shall report the occurrences that may happen, and these reports they shall put in and add to the said book.

Doc. 96

BOOK II, TITLE II, LAW XII.

Let the Laws be Made After Previous and Full Knowledge of What Has Been Ordered in all Matters, and After Hearing the Advice and Reports of Those Who Govern the Territories Concerned, Unless by Delay Detriment may Result.

Don Felipe II. in Ordinance 32 of the Council. Don Felipe IV. in Ordinance 12 of 1636.

The Laws and Statutes of the Kings must be made with much prudence and reflection, so that there may be less necessity to change and repeal them. Thus We command that whenever those of Our Council of the Indies may have to provide and direct

Laws and general provisions for the good government of the Indies, they may be very well informed and sure beforehand of what has already been provided in the matters in question, and they must previously acquire the fullest possible information and notice about the things, affairs and territories concerned, and hear also the advice and reports of those who govern therein and of those who might be able to throw any light on the matters, unless delay in asking for information may cause detriment.

BOOK II, TITLE II, LAW XIV.

Doc. 97

Let all Important Matters of Government be Considered at a full Session of the Council; Other Matters by not less than Three Members; and Matters of Justice by Those who may be Disposed Thereto.

Don Felipe IV. in Ordinance 14 of 1636.

For the consideration of general matters of government, such as making Laws and Pragmatics and the interpretation or derogation thereof, the establishment of Audiencias, erection of churches and dismemberment, division and union thereof, and other matters which in the opinion of the President or Governor are important, We order that the Council must meet in full membership and that those who shall be present must not separate. And for other matters not so important and serious, it shall be enough that as many members as shall meet as may be considered necessary by the President or Governor, so that matters of government may be proceeded with in like manner as those of justice; and for the matter of government two Councilors shall meet with the President or Governor in the large hall, and not three Councillors; and for *visitas*,¹ *residencias*² and lawsuits, there shall meet as many as are required by other Laws of this Title.

¹ Visit, or judicial inquiry into the conduct of a public official.

² The judicial proceeding in which a public official is examined and renders an account as to the administration of his office.

Doc. 98

BOOK II, TITLE II, LAW XV.

Let Matters of Government and Mercy be Considered and Resolved by a Majority of the Council in Consultation With the King, and the Making or Repealing of Laws by Two-thirds of the Council in Consultation With the King.

Don Felipe II. in Ordinance 32 of the Council. And Don Felipe IV. in Ordinance 15 of 1636.

Whenever matters of government and mercy are considered in

the Council, if all the Councilors do not agree in an opinion, that of the majority shall prevail; and if there is an equal number of votes on each side, the matter shall be stayed for the Councilor or Councilors who may not have assisted at the session, whereupon with their opinion, and that of those who assisted before, the resolution of the majority shall prevail; and if it happens that there is again an equal number of votes the Council shall advise us stating the reasons on both sides, so that We may make proper determination of the matter; and We declare that for making new Laws or repealing the old ones, the majority of the votes of the Council shall not be enough, but two-thirds of those being present must agree in an opinion and in such case We must be consulted. And in matters of justice preceding provisions shall be complied with.

Doc. 99

BOOK II, TITLE II, LAW XVII:

Let the Orders of the King be Observed and in Conflicting Cases let Him be Consulted Before Final Determination.

Don Felipe IV. by Decree of August 5, 1628. And in Ordinance 17 of 1636.

Whereas Our Royal orders must be observed for the better

and more certain determination of affairs, We command those of Our Council of the Indies to comply therewith and in order that henceforth, for greater exactness in cases wherein a later order might conflict, in whole or part, with an earlier one, they shall advise us concerning the same, without interpreting or determin-

ing the case, setting forth the reasons and the motives which may lead to a resolution thereof.

BOOK II, TITLE II, LAW XVIII.

Doc. 100

Let the Council ask the King for Explanation Whenever it Deems that His Orders Have a Doubtful Sense.

Don Felipe IV. by Decree of July 1, 1631. And in Ordinance 18 of 1636. For the Board of War see Law 81 of this Title.

We command those of Our Council of the Indies that whenever We may give to them orders which might have two senses or more, they shall ask us the interpretation thereof, the majority of the Council having determined whether there is, or is not, doubt as to said orders. And that in all matters of this kind, even if they are in process of execution, they shall ask us in like manner, informing us of what is being done, in order that We may declare what may be most suitable and what may have been our intention therein.

BOOK II, TITLE II, LAW XXIV.

Doc. 101

Let the Laws and Provisions be Published When and Where it may be Suitable, Unless it is Considered that any One Must be Secret.

Don Felipe II. in Ordinance 16 of the Council. And Don Felipe IV. in Ordinance 24 of 1636.

Those of the Council of the Indies shall always order that

Laws and provisions which henceforth We may enact shall be published when and where it may be suitable, and the Council must always have notice and a certificate of the publication and fulfillment thereof, unless it is considered that any provision must be secret; in such a case We command that publication be not made. And in order that it may be known which must be published and which not, We order that in those that must be published there shall be stated the form, time and place for publication.

Doc. 102

BOOK II, TITLE II, LAW XXV.

Let the Council do its Best to Know How the Laws are Being Executed and Punish Those who may not Obey Them.

Don Felipe II. in Ordinance 8. of the Council. Don Felipe IV. in Ordinance 25 of 1626. The constant solicitude that

We have and that We command to be had in directing suitable and well deliberated measures for the good government of the Indies would be of small benefit and utility if there is delay or neglect in the compliance therewith or the fulfillment thereof. Wherefore We command those of Our Council of the Indies that they must always do their best to ascertain and understand how the laws We provide and order are being obeyed and fulfilled; and they shall severely punish according to law those who by perversity or neglect shall not comply therewith or execute them.

Doc. 103

BOOK II, TITLE IV, LAW II.

Let the Chancellor and Register in the Discharge of His Office Observe the Laws of Castile in Matters not Covered by the Present Laws.

Don Felipe II. in Ordinance 103 of the Council. And Don Felipe IV. in Ordinance 90 of 1636.

The Grand Chancellor and Register of the Indies and his lieutenants and officials shall observe in the exercise of their offices the proper Laws and Pragmatics of these Our Kingdoms of Castile, in all matters not provided for by the Laws of the Indies or by those that henceforth may be provided or promulgated for the said Indies.

BOOK II, TITLE VI, LAW XXIII.

Doc. 104

Orders and Decisions Relating to Judicial Matters in these Kingdoms are not to be Signed by the King; all Enactments Relating to the Indies are to be Signed in Like Manner as Those of Mercy and Government.

Don Felipe II. in Ordinance 4 of the Council. And Don Felipe IV. in Ordinance 136 of 1636. As to the scrivener of the Chamber see Law 5, Title 10 of this Book.

We command that the orders and decisions in matters of justice between parties which may be issued and despatched by the

Council of the Indies, shall be issued in Our name and signed by the members of the said Council, and it shall not be necessary for us to sign them. And all other matters of government and mercy for these Kingdoms and those of government, mercy and justice for the Indies, shall be despatched and issued by us, in like form as has been done heretofore.

BOOK II, TITLE XV, LAW I.

Doc. 105

Let the Territory Discovered in the Indies be Divided into Twelve Audiencias, and the Districts Thereof into Corregimientos and Alcaldías Mayores.

Don Felipe IV. in this *Recopilación*.

Whereas, in the lands discovered up to the present time in Our Kingdoms and Lordships of the Indies, there have been established twelve Audiencias or Royal Chancelleries, with the limits which are expressed in the following laws, in order that Our vassals have those who may govern and rule over them in peace and with justice; and whereas their districts have been divided into Governments, *Corregimientos* and *Alcaldías mayores* which arrangement is made according to Our laws and orders; and whereas they are subordinate to the Royal Audiencias, and all to our Supreme Council of the Indies, which represents Our Royal Person; (therefore) We establish and command that now and until We otherwise order, the said twelve Audiencias shall be retained, and that within the district of each the Governments, *Corregimientos* and *Alcaldías mayores* which they now have shall be

preserved, and that no change be made therein, without our express order or that of Our said Council.

Doc. 106

BOOK II, TITLE XV, LAW IV.

The Audiencia and Royal Chancellery of Panama in Tierra Firme.

The Emperor in Madrid on February 30, 1535, and in Valladolid on March 2, 1537. The Governing Empress in the latter city on February 26, 1538. Don Felipe II. in Saragossa on September 8, 1563; and in Madrid on November 19, 1570, and February 6, 1571; and in San Lorenzo on September 10, 1588; and Don Felipe IV. in this *Recopilación*.

Another of Our Royal Audiencias and Chancelleries with a President, Governor and Captain-General, four Judges, who shall also be criminal *Alcaldes*, a *Fiscal* (Attorney General), an *Alguazil mayor* (High Sheriff), a Deputy Grand Chancellor, and

the other necessary officers and officials, shall sit in the city of *Panama*, of the Kingdom of *Tierra Firme*.

It shall have for its district the Province of *Castilla del Oro*, as far as *Puertobelo* and its territory; the city of *Natá* and its territory; the government of *Veragua*; and upon the South Sea, toward *Peru*, to the Port of *Buenaventura*, exclusive; and from *Portobelo*, toward *Cartagena*, to the *River Darién*, exclusive, with the Gulf of *Urabá* and *Tierra Firme*, bordering, on the East and South, upon the Audiencias of the New Kingdom of *Granada* and *San Francisco de Quito*; and, upon the North and South, upon the two seas of the North and South.

And We command that the Governor and Captain-General of the said provinces, and the President of the Royal Audiencia thereof, shall have, conduct and administer, by himself alone, the government of the said Province of *Tierra Firme* and of all of the district of the Royal Audiencia, as is done by the Viceroys of the Provinces of *Peru* and *New Spain*, and that he alone shall act in and despatch all the matters and things that shall arise concerning the government; and the Judges are not to interfere in what relates thereto, nor shall the said President interfere in those which relate to justice, but he shall sign with the Judges whatever they shall provide, decide and despatch.

Furthermore, We command that when Our Viceroy of *Peru* take action, as such, upon matters relating to government, war and the administration of Our Royal finances, and they issue any despatches concerning these matters for the President and the Judges of Our Royal Audiencia of *Panama*, the latter must observe them and cause them to be observed and fulfilled in everything and by everybody, accordingly and as therein ordered, without any omission whatever.

BOOK II, TITLE XV, LAW VI.

Doc. 107

The Audiencia and Royal Chancellery of Santiago de Guatemala in New Spain.

The Emperor and Governing Prince in Valladolid on September 13, 1543. The Governing Princess there on August 6, 1556. Don Felipe II. in Toledo on September 15, 1560; in Aranjuez on May 31, and in the Escorial on June 28, 1568; and in El Pardo on November 10, 1593; and in Toledo on August 7, 1596; and Don Felipe IV. in this *Recopilación*.

Another of our Royal Audiencias and Chancelleries, with a President, Governor and Captain General, five Judges who shall also be criminal *Alcaldes*, a *Fiscal*, an *Alguazil Mayor*, a Deputy Grand Chancellor, and the other necessary officers and officials, shall sit in the city of *Santiago de los Cavalleros*, of the Province of *Guatemala*.

And it shall have for its district the said Province of *Guatemala*, and those of *Nicaragua*, *Chiapa*, *Higueras*, *Cape Honduras*, *Vera Paz* and *Soconusco*, with the Islands of the Coast, said district bordering, on the East, upon the Audiencia of *Tierra Firme*, on the West, upon that of *New Galicia*, and upon the latter and the North Sea, on the North, and, on the South, upon the South Sea.

And We command that the Governor and Captain-General of the said provinces and President of the Royal Audiencia thereof, shall hold, conduct and exercise, by himself alone, the government of that territory and of all its district, as is done by our Viceroy of *New Spain*, and he shall provide for the distributions of Indians, and perform other functions, as the Royal Audiencia has been accustomed to do; and the Judges shall not interfere in relation thereto, nor shall the said President interfere in matters

concerning justice, and he shall sign, with the Judges, what they provide, decide and despatch.

Doc. 108

BOOK IV, TITLE I, LAW I.

Let what has Been Discovered be Settled Before New Explorations are Authorized.

Don Felipe II., Ordinance 32 and 33, of Settlements. General conditions.

Whereas Our main purpose in making new discoveries is the preaching and extension of the Holy Catholic Faith, and to teach the Indians to live in peace and good order,

We order and command, that before grants are made for new explorations and settlements, the order be given that what has been discovered, pacified and become obedient to Our Holy Catholic Mother Church, be settled, regulated and made permanent, for the peace and harmony of both States, as provided for by the laws that relate to settlements; and when that which has been discovered, pacified and made spiritually obedient to the Holy Apostolic See and to Ourselves, is settled and established, the exploration and settlement of territory bordering thereon and which he newly discovered may be undertaken.

Doc. 109

BOOK IV, TITLE I, LAW II.

Let the Discoveries be Entrusted to Satisfactory and Zealous Persons.

The same. Ordinance 27.

We order that the persons to whom new discoveries are entrusted, shall be approved as to their Christian belief, conscientious character, zeal for the honor of God and Our service, lovers of peace and desirous of the conversion of the Indians, so that there shall be entire satisfaction that they will not do the Indians any harm in their persons or property, but that by their virtue and honesty they will meet Our wishes and the obligation We are under to do this wholly by Christian measures, kindness and moderation.

BOOK IV, TITLE I, LAW IV.

Doc. 110

Let no Person by His own Authority Undertake any New Discovery, Entry, Population or Settlement.

The same. Ordinance 1.

We establish and command that no person, whatever may be his quality or condition, shall by his own authority undertake any new exploration, by sea or land, or any entry, new population or settlement, in those parts that are or may be discovered in Our Indies, without license and permission from us or from whomsoever may have power to grant the same, under pain of death and the loss of all his goods to Our Chamber.

And We command the Viceroy, Audiencias, Governors and other Justices, that they give no license to make new discoveries without consulting us and getting Our special license; but in that which has already been discovered and pacified, We permit the giving of a license within the jurisdiction thereof for the purpose of making such settlements as may be desirable, observing the laws of this book, provided that after settlement is made, they at once send to us an account of what shall have been done; and as regards the power of the Viceroy to authorize new discoveries, let Law 28, Title 3, Book 3, be observed in the cases to which it refers.

BOOK IV, TITLE I, LAW VI.

Doc. 111

Let the Word "Conquest" be Avoided and the Terms "Pacification" and "Settlement" be Used in the Capitulaciones (Charters).

The same. Ordinance 29 of Settlements. Don Felipe III., in Madrid, June 11, 1621. Don Carlos II. and the Governing Queen.

For good reasons and considerations it is desirable that in all the *capitulaciones* (charters), which may be made for new discoveries, the word "conquest" be avoided, and in its stead the terms "pacification" and "settlement"

be used, inasmuch as the same must be made in all peace and charity, it is Our will that no even this term shall be interpreted contrary to Our intent in order to occasion, or give color in what is agreed, to the use of force, or any wrong towards the Indians.

Doc. 112

BOOK IV, TITLE I, LAW VIII.

Let the Discoverers Give Names to the Provinces, Mountains, Rivers, Ports and Settlements.

Ordinance 14.

As soon as the Discoverers arrive in the provinces and territories which they shall discover, they shall, jointly with Our officials, give names to everything in the country generally, and particularly to the provinces, mountains and most prominent rivers that may be found and to the Settlements that may be established.

Doc. 113

BOOK IV, TITLE I, LAW XI.

Let No Discoverer Enter to Make Settlement in the District of Another.

The same. Ordinance 31.

We command that no Discoverer or Settler may enter to explore or to settle within the boundaries which shall have been allotted to or which may have been discovered by others; and in case of any doubt or question concerning the limits, then the parties shall all cease exploring and settling within the regions where there may be doubt or rivalry, and they shall give notice thereof to the Audiencia within whose district the limits may lie; and if the doubt or question shall be within the boundaries of different Audiencias, notice thereof shall be given to each and to the Council, and until there is a decision by the Audiencias, if these are agreed, or by the Council in case they do not agree, and a proper regulation shall have been

made, let no further exploration or settlement be made; and what shall be determined by the Audiencias or by the Council shall be observed, under penalty of death and the forfeiture or property.

BOOK IV, TITLE I, LAW XIV.

Doc. 114

Let the Discoverer Return to Make a Report and be Rewarded and let a Statement be Sent to the Council.

The same. Year 1542. Don Felipe II., Ordinance 21 and 23 of Settlements.

Those who shall have set out to explore by sea or land, under a *capitulación* made in the Indies, are to return and make a report to the Government or the Audiencia with which they may have entered into agreement as to the discoveries and the results obtained by them, sending to us a full, extended and complete account thereof through Our Council of the Indies, in order that such action may be taken as may be best for the service of God, Our Lord, and Ourselves;

And to the Discoverer shall be entrusted the settlement of what is discovered, provided the parties have the requisites therefor; or upon satisfactory execution of their agreement, they may be rewarded otherwise as they may deserve for the work they may have done and the expense incurred.

BOOK IV, TITLE I, LAW XVII.

Doc. 115

Let no Discovery or Settlement be Made at the Cost of the King.

The same, in the Bosque de Segovia on July 13, 1573. Ordinance 25 of Settlements.

We command, that no discovery, new navigation or settlement be made at the cost of Our *Hacienda* (Treasury), nor shall those who may govern expend from the latter anything therefor, although they may hold Our authority and instructions to make

explorations and navigations, unless they shall have a special power that it may be done at our expense.

Doc. 116

BOOK IV, TITLE I, LAW XVIII.

Let no Discoveries be Undertaken Which Shall Have Been Granted Contrary to What is Provided by the Laws of This Book.

The Emperor Charles V., and the Governing Princess at Valladolid, April 16, 1550.

We order and command, that all discoveries and pacifications, and all *capitulaciones* and writings which may have been made concerning them, are to be suspended if they are or may be in contravention of the laws of this book; and that in all which may be hereafter made these laws shall be observed and executed, without exceeding the same in whole or in part, and that any transgressions thereof shall incur the penalties established by law.

Doc. 117

BOOK IV, TITLE II, LAW I.

Let No One Proceed to the Indies to Make Discoveries Without a License from the King.

Don Fernando V. and Doña Isabel in Granada on September 3, 1501. The Emperor Don Carlos in same city on November 17, 1526. Don Felipe II., Ordinance I of Settlements.

We order and command, that none of our subjects and vassals of these Kingdoms and Lordships, nor any other foreigners whatsoever, shall, without Our special license and mandate, venture upon discoveries on the Ocean Sea, in any Province of the mainland, in any of Our Indies or adjacent Islands, discovered or to be discovered, under penalty that, by the fact itself, without any other sentence or declaration, the one who so offends in contravention hereof shall lose and does hereby lose the ship or ships, merchandise, supplies, arms, equipment and whatever other things he may carry, all of which We shall henceforth appropriate and hold as appropriated to our Chamber and Treasury; and, as regards other penalties, Law 4 of the preceding Title must be observed.

BOOK IV, TITLE II, LAW II.

Doc. 118

Let Him who may Have License to Discover by Sea Take at Least Two Ships of no More Than Sixty Tons.

Ordinance 6. Any person who, with license or *provisión*, from us, or from whomsoever may possess Our legal authority thereunto, may set forth upon some discovery by sea, shall be obliged to take at least two small ships, caravels, or vessels of no more than sixty tons so that they can enter a gulf, cruise along the coast, sail up rivers and over bars, without danger of being stranded.

BOOK IV, TITLE II, LAW XI.

Doc. 119

On Entering a Territory, let Possession be Taken Thereof in the Name of the King.

Don Felipe II. in Aranjuez, the last of November, 1563. We order all Commanders, Captains and other persons who may discover an island or mainland, in landing thereon to take possession thereof in Our name, and to draw up the proper documents, in such public form and manner that faith may be given thereto.

BOOK IV, TITLE III, LAW I.

Doc. 120

Let the Governors Inform Themselves as to What There is to Discover, and When They Have Contracted for its Discovery, let Them Report Concerning the Terms.

Don Felipe II., Ordinance 2 of Settlements. We charge and command those who hold the spiritual and temporal administration of the Indies, that with great care and diligence they inform themselves whether within their district, or in the territories and provinces which border thereon and which may not pertain to any other Government, any portion thereof remains to be explored and pacified, also as to the number of

tribes and the people who dwell therein, and the character and quality of the territory, without, however, sending any soldiers or doing anything else to cause a commotion. And having secured information from the best sources available as to this, and as to the persons who would be best fitted to undertake such exploration, let a *capitulación* and writing be made, offering to them the honors and advantages which justly and without injury to the natives can be offered to them, providing that the stipulations be in accord with the laws of this Title and the others that relate to such explorations; and when the terms shall have been decided upon and stipulated, and before putting them into execution, let a statement thereof be made to the Viceroy and Audiencia, and sent in the same form to the Council; so that after examination thereby, if it is found that the exploration is a proper one, a license may be issued therefor, in accordance with what is determined upon in that matter.

Doc. 121

BOOK IV, TITLE III, LAW VIII.

Let the Adelantados, Alcaldes Mayores and Corregidores Make Capitulaciones for the Founding of Cities.

Ordinances 53, 54 and 55.

Among other conditions that must be agreed to with the Adelantado, one shall be that within a certain time he shall settle, establish, build and people at least three cities, and a province of subordinate (suffragan) villages; and with the *Alcalde mayor*, at least three cities, one of these to be a capital (diocesan) and the two others subordinate (suffragan); and with a *Corregidor*, one subordinate (suffragan) city and certain places within its jurisdiction for cultivation of the land and cattle raising that may be needed for the improvement of the city.

BOOK IV, TITLE III, LAW IX.**Doc. 122**

Let the Adelantado be Lieutenant of the Forts he may Build.

Ordinance 60.

If the Adelantado, or Commander agrees to build some forts, he shall be lieutenant therein during the term, limited or perpetual, that may be granted to him, or to his son, heir or successor, with a suitable salary paid by my Royal Treasury or from the products of the land.

BOOK IV, TITLE III, LAW XIII.**Doc. 123**

Let the Judges of the Province Retire in Favor of the Person With Whom the Capitulación has Been Made.

Don Felipe II. Ordinance 70.

If any Judges shall have been established in any Province or Government before the exploration or pacification thereof has been granted by us, then as soon as the person enters therein who is to take charge thereof, they shall no longer exercise jurisdiction, but shall leave the territory; unless it be that upon giving it up they may desire to become residents and remain as settlers.

BOOK IV, TITLE III, LAW XIV.**Doc. 124**

Let the Adelantado and His Successor Have Jurisdiction, Within Their District, of Appeals in Civil and Criminal Matters.

Ordinance 68.

We order that the Adelantado or principal commander, to whom may be entrusted any discovery, shall have jurisdiction of civil and criminal matters coming up on appeal from the lieutenant-governors and aldermen of the cities and towns established by them, in matters that are not exclusively cognizable by the municipal councils; and the same shall be continued in his son, heir or successor in the Government.

Doc. 125

BOOK IV, TITLE III, LAW XVI.

Let the Discoverers be Authorized to Divide up Their Provinces, Appointing Alcaldes Mayores and Corregidores, with Salaries, and Confirming the Alcaldes Ordinarios.

Ordinance 67.

Those who may hold a *capitulación* for a discovery may divide up their Province into districts of *Alcaldías mayores* and *Corregimientos*, and *Alcaldías ordinarias*, and appoint *Alcaldes mayores* and *Corregidores*, designating for them a salary out of the products of the territory, and confirming the *Alcaldes ordinarios*, who shall be selected by the Councils.

Doc. 126

BOOK IV, TITLE III, LAW XVII.

Let the Discoverers be Authorized to Make Ordinances Which Must be Confirmed Within Two Years, but in the Meantime They Shall be Observed.

Ordinance 66.

The principal Discoverers shall likewise be authorized to make Ordinances for the administration of the territory and the labor in the mines, provided they be not contrary to the law, the statutes of this Book, or orders given to the Discoverers, the said ordinances to be subject to confirmation by the Council within two years, but in the meantime they shall be observed.

Doc. 127

BOOK IV, TITLE III, LAW XXIII.

Let Him Who Shall Execute Well His Capitulación be Rewarded with a Gift of Vassals and a Perpetual Title.

Ordinance 84.

If the Adelantado, or principal Commander fulfill well his undertaking and execute duly his *capitulación*, We will consider Ourselves as having been well served by his care and activity, and

reward him with a perpetual gift of vassals and a title of Marquis, or some other title, according to the *capitulación*.

BOOK IV, TITLE IV, LAW VII.

Doc. 128

**If Necessary for Security let Forts and Houses be Built,
But Without Harm to the Indians.**

The Emperor Don Carlos. Ordinance 7.

If the Discoverers and Pacifcators deem, after the aforesaid

measures have been taken, that it is suitable and necessary to the service of God, Our Lord, and Ourselves, and for their own security and their living and dwelling in the province, island, or place pacified by them, that there shall be built some forts, strongholds, or dwelling houses, they shall build them with great celerity and care, and in the most suitable places where they may be preserved forever, without harm nor maltreatment to the Indians, and without taking from them by force their property and goods; but rather treating them fairly and befriending them, because it is Our wish that they shall know God, Our Lord, and become the sons of the Church and our willing vassals.

BOOK IV, TITLE IV, LAW VIII.

Doc. 129

**Let no Consent be Given to Make War upon the Indians
or do Them any Harm or Injury, or to Take From
Them Anything Without Payment.**

The Emperor Don Carlos. Ordinance 8. 1523.

We order and command the Governors, Commanders and

new Discoverers, that they shall not consent or permit war to be made upon the Indians, unless it be in one of the cases specified under the Title of War, nor shall they allow any other harm or injury to be done them; nor that anything be taken from them of their goods, property, cattle or products, without first paying them or giving an equivalent therefor, arranging that the purchases and trades may be made willingly and with entire freedom on their part, and punishing those who shall ill treat or injure them,

so that they may more easily be brought to a knowledge of Our Holy Catholic Faith.

Doc. 130

BOOK IV, TITLE VII, LAW VII.

Let the Territory be Divided up Between the One Who May Hold the Capitulación and the Settlers, as it is Ordered.

Ordinance 90.

The district and territory which may be granted by *capitulación* for settlement shall be divided up in the following manner:

Let there be set apart first that which may be needed for the town plots and sufficient commons, and pasture lands where an abundance of cattle may be pastured for the use of the residents and then an equal amount as public lands. The rest of the territory and district shall be divided into four parts; one of them, which may be selected, shall belong to the one who has agreed to establish the settlement; the other three are to be divided into equal portions for the settlers.

Doc. 131

BOOK V, TITLE I, LAW I.

Let the Governors, Corregidores and Alcaldes Mayores Keep Within the Limits of Their Districts.

Don Carlos II. and the Governing Queen in this *Recopilación*.

For the better and easier administration of the Western Indies, the Kingdoms and Lordships thereof are divided into major and minor provinces; the major ones, in which many others are embraced, being designated as districts of Our Royal Audiencias; and the minor ones, being distant from the Audiencias, are provided with special rulers, so that they may be administered in peace and justice; and in other localities where it has not seemed to be necessary or desirable to establish provincial headquarters or in which to appoint a Governor on account of the character of the country and the location of the places, *Corregidores* and *Alcaldes mayores* have been designated for the administration of

the towns and the districts thereof, and the same has been observed as regards the principal villages of the Indians, which are the head towns for others.

And whereas one of the things which most facilitates good administration is the determination of boundaries and the territories of provinces, sections, districts and chief places, so that jurisdictions may not extend beyond them, and Our officers may administer justice without exceeding their powers; therefore

We order and command the Viceroy, Audiencias, Governors, *Corregidores* and *Alcaldes mayores* to keep and observe the limits of their jurisdictions, as they may be fixed by the Laws of this Book, the titles of their offices, the provisions of the superior Government of the Provinces, or by use and custom legitimately introduced; and they are not to intermeddle by exercising their offices or performing jurisdictional acts in the parts or places to which their limits or their territories do not extend, under the penalties legally imposed by the laws of these or those our Kingdoms; and any excess they may commit in this regard shall be charged against them when account is rendered of their conduct.

And since doubts have arisen upon the subject of the limits and as to the territories of some Governments, it is Our will that the provisions be observed which are contained in the following laws.

BOOK V, TITLE I, LAW II.

Doc. 132

Let the President of Panama Obey the Viceroy of Peru and in General Communicate With Him.

Don Felipe III. at San Lorenzo on July 9, 1614, and September 5, 1620. Don Felipe IV. at Madrid on February 18, 1628.

The Province of *Tierra Firme* belongs to the Government of the Viceroy of Peru, like those of *Charcas* and *Quito*; and the President, Governor and Captain-General is notified that he is to obey the Viceroy and execute the orders by him given as the superior in matters of administration, war and finance, and he must likewise apply to him to furnish help in case of need, and report to him in everything; and as to this they shall maintain with him the usual communication.

Doc. 133

BOOK V, TITLE I, LAW VII.

Let the Province of Tierra Firme Belong to Those of Peru.

The Emperor Don Carlos and the Governing Kings of Bohemia, at Valladolid on May 2, 1550.

We command that the Province of *Tierra Firme*, called *Castilla del Oro*, shall belong to the Provinces of *Peru* and not to those of *New Spain*.

Doc. 134

BOOK V, TITLE I, LAW VIII.

Let the Back Portion of the Gulf of Urabá Belong to Tierra Firme.

The Emperor Don Carlos and the Governing Empress at Madrid, February 15, 1553.

Whereas the limits of the Province of *Cartagena* begin at the *River Grande*, which separates it from that of *Santa Marta*, and run to the other *River Grande* which flows into the Gulf of *Urabá*, and extend along the coast for a distance of seventy leagues;

We declare that the back portion of that Gulf, where the Cacique *Cimaco* lived, belongs to the Government of *Tierra Firme*.

Doc. 135

BOOK V TITLE I, LAW IX.

Let the Province of Veragua Belong to that of Tierra Firme.

The same Emperor at Valladolid, March 2, 1537.

Let the whole Province of *Veragua* belong to the Government of *Tierra Firme*.

BOOK V, TITLE II, LAW I.

Doc. 136

Which Designates the Governments, Corregimientos and Alcaldías Mayores Which are to be Provided for by the King, and the Deputies Who are to be Appointed by the Council of the Indies.

Don Carlos II. and the Governing Queen in this *Recopilación* and Decree 138, upon consultation with H. M. and considering the reports from the Secretaryships of *Peru* and *New Spain*.

Conformably with the dispositions of Law I, Title II, Book III, there are reserved for Our provision and good pleasure the

Governments, *Corregimientos* and *Alcaldías mayores* which are most important in the Indies, as well as the duty of fixing the compensation and salaries which they should pay annually, the duties of which offices are defined by the laws of this *Recopilación* and especially by those of this Title. And in order that it may be clearly known which and how many there are, it is our will to designate them in the manner following:

* * * * *

Peru.

In the district of our Royal Audiencia of *Panama*, We have to provide for the post of Governor and Captain-General of the Province of *Tierra Firme* and President of the Royal Audiencia, for eight years, which has a salary of four thousand five hundred ducats; and that of Governor and Captain-General of the Province of *Veragua* with one thousand *pesos ensayados* (assayed); the Government of the Island of *Santa Catalina*, with two thousand *pesos*; and the *Alcaldía mayor* of *San Felipe de Portobelo*, with six hundred ducats. * * * *

* * * * *

New Spain.

* * * * *

In the district of our Royal Audiencia of *Guatemala*, the post of Governor and Captain-General and President of the Royal

Audiencia, for eight years, with a salary of five thousand ducats; that of Governor and Captain-General of *Valladolid de Comayagua*, with two thousand *pesos de minas*; that of Governor and Captain-General of the Province of *Costa Rica*, with two thousand ducats; that of the Governor and Captain-General of the Province of *Honduras*, with one thousand *pesos de minas*; that of Governor of *Nicaragua*, with one thousand ducats; that of *Soconusco*, with six hundred *pesos de minas*; that of *Alcalde mayor* of *Verapaz*, with seven hundred and seventy-seven *pesos*, six *tomines* and four grains *de minas*; that of *Chiapa*, with eight hundred *pesos ensayados*; that of *Nicoya*, with two hundred ducats; that of *Trinidad de Sonsonate*, with the same salary as the predecessors; that of *Zapotitlán* or *Suchitepeque*, with seven hundred *pesos de minas*; that of the city of *San Salvador* with five hundred *pesos de minas*; and that of *Alcalde mayor* of the mines of the Province of *Honduras*, with four hundred *pesos de minas*.

* * * * *

Doc. 137 Report of Fray Francisco de San José, Apostolic Missionary, to the President of the Audiencia of Guatemala, Concerning the Subjection of Talamanca and the Houses and Tribes of the Térrabas Indians.

GUATEMALA, October 18, 1697.¹

Of the Provinces of Talamancas.

For better information I will set down the tribes and the houses and *caciques* of the *Térrabas*.

Tribes.	Houses.	Caciques.
Secui	9	1
Zuniu	9	1
†Sañasuru	6	..
Guangura	6	1
Curagasa	6	..

¹Archives of the Indies. Secretaryship of New Spain. Secular. Audiencia of Guatemala. Despatch concerning the subjection of Talamanca. Fernández, V, p. 369.

Yquencua	2	..
Zurgurum	8	1
Sanuroc	2	..
Quegsan	2	..
Urugubaa	4	..
Magrasa	1	..
Cuyusurum	8	1
Quanque	8	..
Surca	4	..
Ystaque	1	..
†Quansan	3	..
Corqua	3	..
Porubri	2	1
Danabagra	8	3
Damagra	4	..
Nangura	3	..
Chirinama	2	..
Ysurca	2	..
Tanguri	4	..
Monio	2	..

109 houses and 9 *Caciques*

Each house has from twelve to fifteen persons.

These trade with the *Borucas Téxabas*. They furnish the latter with blankets of cotton, which are used for coverlets, table cloths and curtains, and the *Borucas* give them salt, hatchets, machetes, dogs and other things.

To the *Chánguene's* they carry salt and hammocks and get necklaces of shells, feathers of various colors and some bead work.

To the Island (of *Toja*)² they carry hatchets and *machetes* and get necklaces and belts of shells.

²The name of *Toja* or *Tójar* is given to the four islands lying between *Bocas del Drago* and the Bay of *Almirante*, at the North of *Chiriquí Lagoon*, known in the XVI century as the Islands of *Zorobaró* and now as the Islands of *Colón*, *San Cristóbal*, *Isla Popa*, and *Bastimentos* or *Provisión*; but the missionaries refer especially to the Island of *Colón*.
M. M. P.

To the *Talamancas* they carry salt and hammocks and get tubes of colored bone which they esteem highly and some *machetes* which they exchange with the *Urinamas* for cacao.

In *Sañasuru* is the church of San Buenaventura and in *Quansan* that of San Andrés, indicated by two crosses on the margin.

Tribes.	Houses.	Caciques.
Toroca	5	1
Caraga	3	..
Zengo	7	5
Ycaligala	3	..
Xalata	2	..
Zuicora	2	1
Pomasa	4	2
Poruru	3	..
Suiquela	2	..
Uribasa	3	2
Ganguerasa	3	1
Querulu	5	2

42 houses and 14 *Caciques*.

Each house has from fifteen to twenty persons. Almost all of them are near the *Puan* river,³ each of the tribes being a half day journey, more or less, from the other by canoe.

There is no other food except maize; they eat it boiled or roasted; from it they make a drink called *chicha*; and a yellow herb they call *momo*, they eat in place of salt. As they are poor, in order to steal, three tribes made war against another three of *Térraba* that are peaceful, among these *Pomazu* against *Querulu*, and *Zengo* against all, because they are so fierce. Everything was settled, however, but they say that peace and good behavior will last only while the Padre stays there, for they do not keep their word and are very timorous.

From *Tenemaza* to *Chiriquí* is said to be fourteen days journey and upon the way there are other *Chánguenes* who rob the *Borucas* and make them captive.

³ The River *Puan* or *Manigalisca* is perhaps one of the affluents of the *Tilorio* (*Estrella*), the River *Bun* on the map of Gabb, published by Petermann's Mittheilungen, 1877, Gotha. M. M. P.

From *Zengo* to the North Sea there are other *Chánguenes*, a day and a half distant, called *Soribas* and *Urugaulasas*. These we have not seen. And from thence to the Island (*Toxa*) is said to be a day and a half distant by the road to the shore of the ocean where they trade.

Of all the *Chánguenes* not more than four hundred have been baptised and added to the churches of San Miguel in *Quercula* and of the San José in *Zengo*, and eight hundred, partly catechised, have been already baptised by my associate Fray Pablo de Rebullida, and will be brought down to the *Solibas* and *Urugaulasas*. The whole mountain region is at peace, except these *Torresques* and *Dorasques*.

With *machetes* given by His Majesty four houses were built in *Urinama* for thirty-four persons. We took these *machetes* from *Matina* together with materials for the church. In the settlements of *San Antonio*, *San Pablo* and *San Francisco* in *Talamanca*, which were moved to other places, the churches of Concepción and Santa Ana were built; in *Térraba* that of San Andrés, in *Chánguenes* those of San Miguel and San José, and in the Island, that of Nuestra Señora de los Dolores; crosses and rafts were also made, roads opened and some *machetes* given to the Indians.

Tribes and Houses of the Island of Toja.

Coronuza has	32	houses
Puinsa	12	"
Quenamasa	22	"
Urutisa	26	"
	—	
	92	

Each house has from fifteen to twenty persons and in all there are more than a hundred *Caciques*. Of all of them only a hundred remain to be baptized. I could not reach them at the time, being footsore, but my associate has a list of them.

This Island is on the North Sea, six hours sail in a canoe from *Puertobelo*,⁴ according to the statements of the Spaniards. It is triangular, level, with the largest angle about a league and half,

⁴ This is an error, since the distance from the Island of *Toja*, now called *Colón*, to *Puertobelo*, is 180 miles. M. M. P.

and the other two about a league, on the West, to the mainland, where the *Térrabas* come and signal by making a great smoke, so that the islanders may go and take them over in canoes. It is about one league, on the south side, to where the *Chánguenes* come to make smoke signals in order to trade, but they do not cross over to the Island.

It is about four leagues from a bar of very smooth water and rather deep. Between the South and the East, it is also four leagues to where the *Torresques* go to make smoke signals, in order to barter; but neither do they cross to the Island.

On the East side, from the Island to the mainland, the shore which runs to *Puertobelo*, it is about one league. We have with the help of the Lord, in this manner conquered as far as this.

The Province of *Nicaragua*⁵ had conquered the *Urinamas* on the North and the *Borucas* on the South. Afterwards my associates, the Reverend Fathers Fray Melchor López de Jesús and Fray Antonio Margil went to the *Cavécaras*, *Talamancas* and *Térrabas*, but those who were baptized and married in those tribes were few in comparison with the other two we have newly added—the *Chánguenes* and *Toxas*.

For greater clearness, I do not set down the names of the settlements as the Indians call them, nor the tribes of these (three) nations, because all are mixed up and because the *palenques* in many places are far away one from the other.

These poor Indians do not practice idolatries, but they had some superstitions. They believed that the creation of man was similar to a seed; that God had all the seeds, and just as the maize and other things were planted by Him, He planted the men and then they began to procreate; that they had two souls, one which performed good works (and this one went upwards) and another which did bad deeds, and this latter went below. Some of them believed that with the death of the body the soul also died. Some others have stones of various colors with which they play in the same manner that we play *tablas*,⁶ the colors indicating to them whether there are enemies in the places where they go to work or travel about; other stones are like marble, with veins of lead

⁵ The ecclesiastical province of the order of the Franciscans.

⁶ A common Spanish game played with sheep's shanks.

color, that show by their shade, whether the day will be propitious; others, thin flat stones, are consulted for hunting and fishing; and the way they do this is to place the stone upon the palm of the hand and talk to it and then quickly give it a toss. If the stone spins, the fortune will surely be good, but if it does not, then they will not go out or travel for their luck would be bad; and in this they put great faith, because they say that God gave such stones to their ancestors for their government, and they, too, must use them. They search for them in the quarries while fasting, and immediately grind them and during this time they do not eat salt.

Of these stones my associates destroyed two half *fanegas* at the least, and we as many as two hundred of those that were hidden.

In their burials they have various rites, for in *Talamanca* and *Carécaras* they wrap the bodies in leaves of trees and blankets of tree bark and keep them thus for a year, or until they get ready for a grand *chichada*.⁷ In the island they transport the bodies, walking at short intervals, day and night for nine days, with mournful chants, and to the sound of drums; and then the wife and daughter are left to crying all the rest of their lives. This weeping takes place at four in the morning and sounds as if they were singing very loudly; it can be heard for two squares and more if the house is upon a height.

They have no government, neither are they obedient to the *Caciques*, or *Alcaldes*; they do only what they wish and what seems to them good.

Supplies for the first three tribes are small and there is very little maize; plantains even are scarce.

The *Térrabas* are the most industrious, and they have more utensils on account of the trade they have with the *Borucas*. The latter get two harvests of maize, but in one month they eat to the end of the maize-field, less only what the women can save to plant again. They also raise some beans and yuca and yams in their season and a few plantains and greens; but even these Indians, being the best of all suffer some times from hunger.

⁷ Indian festival in which a great deal of *chicha* was drank.

Those on the Island (of *Toja*) have plantains all the year round, and in their seasons, fish, maize, yuca and *pejibay*; but greens are scarce. The land is not large enough, and they go to other islands and to the mainland, toward the *Térrabas*, to plant maize and plantains. All drink to enormous excess and eat very little meat.

In all the mountain region there is nothing but the wild pigs, monkeys, tigers, small wolves and mice, and but few of these.

The clothing of the *Urinamas*, *Cavécaras* and *Talamancas* consists of a short jacket, so scant that it shows the entire breast, made of bark-cloth called by the Spaniards *mastate*, and a strip of the same about six fingers wide and a yard and a half long, with which they cover their private parts. The women wear blankets of the same, and sometimes of cotton, which they fasten around the waist and let hang down to the knees.

Those of *San Francisco* and *Boruca* fasten a band about the waist, with a small flap of cotton in front; but the women cover the head with a blanket, tie it around them and it falls to the feet.

All the other three tribes go about as they were brought into the world, except for the necklaces and head feathers worn by the men, but the women, with more modesty, wear cotton blankets, at least from the neck to the knee. The *Chánguenes* wear a girdle.

They usually sleep in hammocks; but those who do not, sleep on leaves of the *vijagua*^s or plantain.

They are all armed with spears and arrows, except on the Island where they use nothing but spears and some shields of slats interwoven with cords. The *Térrabas* and *Chánguenes* have many shields of tapir-hide.

Horses get as far as *Urinama*, but further they cannot go; some young cattle have gone as far as *Talamanca*, but it was very difficult. Here there are some level places, but uneven and overgrown. The *Térrabas* and *Chánguenes* live among frightful mountains.

The road of the Island, from the maize fields of *Iquenque*, which are four days distant is through flat wooded country, the island having nothing but small hillocks.

^s *Calathea insignis*.

The people of the Island are more reasonable, of good appearance, and wear their hair down to the waist, both men and women; but they are very fierce, for it is said that this island was settled by a tribe of Mexicans who could not remain in *Talamanca*, being too turbulent; as well as by other similar tribes of the *Térrabas*, and the *Chánguenes*, *Torresques* and *Seguas*, all free-booters. So the language that prevails is *Térraba* mixed with *Chánguen* and some words of *Torresque* and *Segua*.

These are the principal facts as to which it appears to me I can report to Your Worship, in compliance with the order given to me. If anything is lacking and I know of it I will report it, obeying Your Worship, whom may the Most High guard for many years.

Guatemala, October 18, 1697.

The faithful servant of Your Worship who kisses your hands.

FRAY FRANCISCO DE SAN JOSÉ.

*Missionary of the College of Santa Cruz de Querétaro,
and the least of these.*

Nations and large rivers.	Settlements and distances from one to another.	Summary of the People, Settlements and distances.			
		Days distance.	Persons.	Baptised.	Married.
	From <i>Cartago</i> , last city of <i>New Spain</i> and Christianity by the North Sea to <i>Urinama</i> , is eleven days' journey with three rivers to cross...	11	140	2	7
<i>Urinama</i>	From <i>Urinama</i> to <i>Santo Domingo</i> , one day's journey	1	100	5	6
	To <i>Dulce Nombre de</i>				

	<i>Jesús</i> a half day; to this village we join that of <i>San Antonio</i>	1-2	100	3	2
<i>Cabécaras</i>	From <i>Jesús</i> to <i>San Joseph</i> , one day.....	1	40	9	...
	Thence travelling toward the South Sea, six long days' journey is <i>Boruca</i> and from thence to <i>Chiriquí</i> is said to be four days. The <i>Cabécaras</i> do not trade with the <i>Borucas</i> because they are poor				
	From <i>San Joseph</i> to <i>San Juan</i> , two days.....	2	100	24	...
	To <i>San Agustín</i> , one.....	1	300	9	...
	Thence back to <i>San Juan</i> and one can go to <i>Santa Ana de Viceita</i> , two days, and very bad travelling				
	From <i>San Juan</i> back to <i>San Joseph</i> and to <i>Jesús</i> , and thence to <i>Santa Cruz</i> , one day. To this village we add that of <i>San Pablo</i>	1	200	2	...
River <i>Quoín</i> ...	From <i>San Miguel</i> to <i>Santísima Trinidad</i> , two days	2	160	13	...
	From <i>Santa Cruz</i> to <i>San Miguel</i> , two days.....	2	150	70	...
<i>Talamancas</i>	To <i>Purísima Concepción</i> , a half day.....	1-2	200	16	...
River <i>Ararí</i>	To <i>Santa Ana de Vizeita</i> , (in two branches) two days. And turning back to <i>Concepción</i> to go				

	to the nation of the			
	<i>Térrabas</i>	2	400	55 ...
River <i>Orén</i>	From <i>Concepción</i> to <i>Secui</i> ,			
	two days	2	...	...
<i>Térrabas</i>	To <i>Zunui</i> , one day.....	1	...	...
River <i>Zunui</i>	To <i>San Buenaventura</i> , two			
	days	2	...	...
	To <i>San Andrés</i> , about one			
	day	1	100	31 ...
	Thence, travelling to the			
	South Sea six days, is			
	<i>Boruca</i> and the trade			
	route. The village of			
	<i>Téjavas</i> , called <i>San</i>			
	<i>Francisco</i> , my asso-			
	ciate Fray Pablo Rebul-			
	lida took away from the			
	mountains and located			
	three hours by road			
	from <i>Boruca</i> , so that the			
	Missionary Father from			
	the Province of <i>Nicara-</i>			
	<i>gua</i> who is settled there			
	may attend to it.....	...	...	...
<hr/>				
	Total of the <i>Terra-</i>			
	<i>bas</i>	1,300	215	8
River <i>Tararia</i>	From <i>San Andrés</i> to <i>Zur-</i>			
	<i>gurún</i> , one day.....	1	...	...
<i>Chánguenes</i>	From <i>Zurugún</i> to <i>Toroca</i>			
	or <i>Manialcica</i> of the			
	<i>Chánguenes</i> , three days. ...	...	...	...
	On this road <i>Bocorca</i> , <i>Sin-</i>			
	<i>ca</i> , <i>Uneri</i> , with two			
	branches, and <i>Saygra</i> ,			
	medium rivers, are			
	crossed; the large ones			
	are on the margin.....	3	...	...

From <i>Toroca</i> to <i>Zengo</i> , one day, crossing the River <i>Puan</i>	1	...	...	...
Total of the <i>Chan- guenes</i>	1,200	400	30	
To <i>Cugnamaza</i> , three days	3	...	...	...
River <i>Toro</i> Thence go back to <i>Zurgu- rún</i> and thence to <i>Iquengo</i> , two days.....	2	...	...	...
Island of <i>Toja</i> ... Here was opened a road to the Island of <i>Toja</i> , which the Spaniards say is in the bays of <i>Almirante</i> , and now the road is travelled in four days	4	...	...	...
Total of the Island ..	800	700	117	
Without going over the same road forty-five days				
The total of the whole is	45	5,750	1,647	170

Doc. 138 Second Report as to the Extension of the Holy Gospel
Among the Tribe of the Chánguenes, of the Province of
Talamanca, in the Two Years of 1697 and 1698, by the
Padre Fray Pablo Rebullida, Apostolic Missionary.¹

CARTAGO, March 26, 1698.

I have seen the report made in *Guatemala* on the 18th of October in the year 1697, to the Señor President, by the Padre Fray Francisco de San José, apostolic missionary and my associate, from the *Urinamas*, *Cavécaras*, *Talamancas*, *Térrabas* and *Chánguenes*, as far as the tribes which are governed from the two

¹ Archives of the Indies. Shelf 65. Compartment 6. Bundle 28. Fernández, V, p. 381.

churches called *San Miguel* and *San José*, and being sensible that what was reported was the truth, I add the following:

Distances.	Hours by road.	Houses.	Caciques.
From the last tribe, which is called <i>Poruru</i> , I followed up stream the river which is called <i>Puam</i> , another name for it being <i>Maniyalsca</i> , and in one day I came to the end of the river; passing through a mountainous region another day I reached a tribe called <i>Purijutun</i> .....	..	4	..
From <i>Purijutun</i> to <i>Pulegalaga</i> it is....	$\frac{1}{2}$	4	..
From <i>Pulegalaga</i> to <i>Talyía</i> it is.....	2	11	2
From <i>Talyía</i> to <i>Quenamasa</i> it is.....	$2\frac{1}{2}$	7	4
From <i>Quenamasa</i> to <i>Quiomasa</i> it is....	1	13	10
From <i>Quiomasa</i> to <i>Tabulasa</i> , it is.....	$1\frac{1}{2}$	11	2
From <i>Tubalasa</i> , known also by the name of <i>Ausuru</i> , to <i>Sigalasa</i> it is.....	1 day	9	2

From here they took some people to *Chiriquí*.

From <i>Sigalasa</i> turn back to <i>Tubalasa</i> , and from thence to <i>Tumagayasa</i> it is a quarter of an hour.....	$1\frac{1}{4}$	10	3
From <i>Tumagayasa</i> to <i>Silurasa</i> it is.....	$1\frac{1}{4}$	4	..
From <i>Sirulasa</i> to <i>Quiringala</i>	$1\frac{1}{2}$	3	1
From <i>Quiringala</i> to <i>Xajerán</i>	$1\frac{1}{2}$	3	1
From thence turning back to <i>Tamagajara</i> , passing a small river and going on to <i>Sonabora</i> it is.....	$\frac{1}{2}$	5	1
From <i>Sonabora</i> to <i>Xurulu</i> it is.....	$\frac{1}{4}$	5	2
From thence turning back to <i>Sonabora</i> and going on to <i>Xirulusa</i>	$\frac{1}{4}$	3	1
From <i>Xirulusa</i> to <i>Acchara</i> it is.....	1	6	2
From <i>Acchara</i> to <i>Alchansa</i>	4	3	..
From thence turn back to <i>Xirulusa</i> and to <i>Quinjala</i>	4	10	2

From <i>Quincajala</i> to <i>Xomala</i>	$\frac{1}{2}$	6	..
From <i>Xomala</i> to <i>Alogoble</i>	$\frac{1}{4}$	3	..

In these short distances there are..... 120 25

There are lacking a few tribes near *Alogoble* that I did not see, but I have reports as to the names of some, such as *Xuriango*, *Saisura* and *Toquenema*, which must have from fourteen to sixteen *palenques*.

From the first tribe, called *Curijutún*, to the last one there are 1,800 persons of both sexes and all ages, more or less, and of these 1,400 have been baptised, not including the 400 baptised in this nation, which were mentioned in the first report and added to the two churches of San Miguel and San José; besides these I have baptised 250 more which were left when my associate Fray Francisco de San José divided the tribes of these two churches.

From *Cungala* to the *Torresques* they say it takes two days and a half on the road, and they are at war. It is supposed that there are many of those *Soribas*, because they make war against more than two thousand Indians of *Xuriango* and *Cachegabasa*, which is two days' distance from there; it is in sight of the North Sea, and it is said that in that country there are eight hundred heathens. From *Cachegabasa* to the Island of *Toxa*, mentioned in the first report, it is two days.

Cachegabasa has asked me many times to come, and on two occasions I sent them two images as a token that I would go to them when I could.

From the *Torresques* to *Chiriqui* it is said to be four and a half days, more or less.

These *Chánguenes* believe that they can be saved without baptism, because they think that any one who is killed in battle will be saved; but one who dies from fever, or snake bite, or by drowning, is lost.

They are very poor, because although they try to plant they do not harvest, it being eaten up by many birds that are there and by the mice.

Their only food and drink is from a tree which they call "*pejibay*." This they cut two feet from the top, take out the heart, grind it up and dilute and strain the mass in a vessel with

many holes and they drink this milky beverage without anything with it.

As to all the rest I refer to what was said about this nation in the first report.

Cartago, March 26, 1698.

FRAY PABLO REBULLIDA,
Apostolic Missionary.

Those baptised in these two years in this nation of the *Chánguenes* were 1650. Of those who speak the same language there are lacking, it was said, more than two thousand.

Memorial of the Missionaries.

Doc. 139

YEAR 1699.¹

Fray Francisco de San José and Fray Pablo de Rebullida, preachers and Apostolic Missionaries of the College of Santa Cruz of *Querétaro* of the regular followers of our Father San Francisco, submit to Your Majesty these two reports and state that on the eleventh of April, in the recent year of 1695, we set out from this city of *Cartago* for the purpose of visiting the heathen tribes of Indians of the Province of *Talamanca*, and others in the neighborhood thereof, in order that they might continue in the tenets of our Holy Catholic Faith; and having stopped among the *Urinamas*, *Cavécaras*, *Talamancas* and *Térrabas*, who had been already baptised by the Reverend Fathers Fray Melchor López and Fray Antonio Margil, Apostolic Preachers of our said College, we passed on to the tribes of the *Chánguenes* and *Tojas*; and having baptised the children and some few adults of the tribes already Christian, we catechised and baptised as many as 1646, and married 57.

I, the said Fray Francisco, became ill and left to come to this city. Proceeding under orders to that of *Guatemala*, I made a report of everything to the President of the Royal Audiencia there, on the 18 of October, 1697; there I was given new orders to go back again to the work of said conversion; but having re-

¹ General Archives of the Indies. Shelf 65, Compartment 6, Bundle 28. Fernández, V, p. 389.

turned to this city I have not yet done so on account of my illness having continued.

But I, the Fray Pablo de Rebullida, have continued in the work of said conversion, during the period from the years 1697 and 1698 down to the 16th of February of this year 1699, when I left and came back to this city from the said tribe of *Chánguenes*, and catechised and baptised 1650 persons of both sexes and of all ages; and I married 125;

And by reason of our experience, having relied upon the affection, kindness and charity we profess, not only with those that have been mentioned, but with others of the said tribes who are not yet converted, we recognised that it is not enough that they embrace wholly the practices of our Holy Catholic Faith, and give up their continual drunkenness, concubinage and hostilities, and other evil customs which are so common amongst them, but, as it is our earnest desire that they should become perfect Christian Catholics, we find it to be necessary that there should go out to the said missions as many as thirty armed men, under the command of a leader who will have charge of them, and at the expense of the Royal Treasury, both for the protection of our persons as well as of the other six friars who are appointed from this holy province; this because the said Indians are so insolent and lacking in respect for the priestly office, for they sought upon three occasions to kill me, the said Fray Francisco de San José, and they gave to me, the said Fray Pablo de Rebullida, a spear thrust, so that when I coughed my breath came through the wound, and they took away from me an entire set of altar furniture and other things which belonged to the exercise of divine worship; but at the sight of the said armed men they will become afraid and obedient. It is better that the soldiers be few in number lest the Indians fly to the mountains or take up arms. With these, and by their good treatment and example, and with the many things we have sent for to carry with us for the gratification of the Indians, we will make them good Christians and keep them quiet in the settlements.

And since all of these tribes, and more than 2,000 of the said tribes of *Chánguenes*, who still lack baptism, are located within

the boundaries of this Province of *Costa Rica*, we beg that Your Majesty may be pleased, in view of the said reports annexed to this our petition, to command that the said men and their commander be appointed for said purpose, notwithstanding the prohibition against the same in the despatch issued in the year 1691 by the superior government of these provinces, in which it was ordered that no Spaniard, mestizo, mulatto or negro should be allowed to enter among the said tribes of *Urinama* without a license from the fathers who are engaged in said missions. This restriction was then desirable because they were new plantations, but now it is not for the reasons we have stated above; on the contrary, it is for the service of both their Majesties, wherein we shall receive benefit and favor with the justice for which we pray, etc.

FRAY FRANCISCO DE SAN JOSÉ,
Apostolic Missionary.

FRAY PABLO REBULLIDA,
Apostolic Missionary.

Escort for the Missionaries of Talamanca.

Doc. 140

GUATEMALA, July 22, 1700.¹

Don Gabriel Sánchez de Berrospe, of the Council of H. M., President of this Royal Audiencia, Governor and Captain-General of this Kingdom, etc.

Whereas, by the report of May 4, 1699, of the Reverend Padres, Fray Francisco de San José and Fray Pablo Rebullida, of the minor friars of the seraphic faith of Señor san Francisco, apostolic missionaries, who are engaged in the subjection and conversion of the heathen Indians who inhabit the mountains of *Talamanca* in the Province of *Costa Rica*, I have been informed by said Padres of the large number of infidels converted to our Holy Catholic Faith and the many that are still left by reason of the fact that those mountain districts are divided up among different tribes and clans; and that in order to succeed

¹ Archives of Guatemala, now in the National Archives of Costa Rica. Fernández, V, p. 391.

in an enterprise so much for the service of God, our Lord, it would be desirable to have some soldiers furnished to them, so that with their escort the said infidels might have the respect and veneration that is due to the said Padres, they having experienced during the time that they have been in those mountains many outrages, and even been in danger of life, because these said infidels were unwilling to submit to good customs and Christian polity; but that with the fear of the soldiers, of whom they are greatly afraid, their subjection and conversion would be facilitated.

This I directed to be submitted to the Señor Licentiate Don José Gutierrez de la Peña, *Fiscal* of this Rôyal Audiencia, and upon his reply I directed that a meeting of the Board of the Royal finances be held, which was as follows:

"In the city of Santiago de Gutatemala, on the 20th day of July, 1700.

"The President and Judges of this Royal Audiencia was convened, as follows, to sit as the Board of Royal Finances: Señor Don Gabriel Sánchez de Berrospe, of the Council of H. M., President of the said Audiencia, Governor and Captain-General of this Kingdom, Licentiate Don Juan Jerónimo Duardo, Doctor Don Gregorio Carrillo y Escudero and Licentiate Don Pedro de Epuaras Fernández de Híjar, Judges, the Señor *Fiscal*, Licentiate Don José Gutiérrez de la Peña being also present, with Sergeant Major Don Pedro de la Vega Valbuena, Treasurer, and Captain Don Manuel de Medrano y Solórzano, *Contador*, Royal officials of the Royal finances and treasury of this Court. At this session there was considered the report forwarded by the Reverend Padres Fray Francisco de San José and Fray Pablo Rebulida, of the Seraphic order, apostolic missionaries, who are engaged in the subjection and conversion of the heathen Indians called the *Chánguenes*, of *Talamanca* in the Province of *Costa Rica*, concerning their being allowed thirty soldiers with a commander, arms, munitions and other provisions, not only for the subjection of the large number that there are in those mountains to be converted, but also to compel the villages that are there already to live according to good customs and under Christian Polity, and so that with the fear of the soldiers they have the

respect and veneration that is due by these Indians to the evangelical ministers who have experienced many vexations at the hands of the said infidels;

"And considering what the said Señor *Fiscal* stated, replied and requested in view of the foregoing; and the matter having been discussed and deliberated upon, it was resolved that the pay of each soldier of those which their Worships were pleased to direct to be recruited should be fixed at eight pesos per month, the commander to receive sixty, and that the payments should be made from the Royal Treasuries of *Nicaragua* and take precedence over any other expense and this should be from the Royal Treasury; and for this and the rest Your Worship will be good enough to issue the necessary papers.

"Whereupon the Board adjourned; and the various members affixed their flourishes with the said Royal officials.

"Before me, PEDRO PEREIRA."

And in view of the foregoing, on the 21st of said month, I prepared the documents which follow:

"Let what was determined in the Board of the Royal Finances be executed, and in conformity therewith let a letter be issued to enable the Governor and Captain-General of the Province of *Costa Rica* to enrol the thirty soldiers whom the Padres Missionaries Fray Francisco de San José and Fray Pablo Rebullida say are necessary, and for whom the pay of eight pesos per month is designated during the time that they are employed in attendance upon and guarding the said Padres in the conversions mentioned, said payments to run from the time that the men are accepted; and for the commander of them I select and appoint the Campmaster Don Miguel de Echavarría, at a compensation of sixty pesos per month, which he is to receive in the same manner as the said soldiers. The said Governor and Captain-General shall have charge of this recruiting and execute it as quickly as possible, and from men that have not been in default in the companies of militia and who shall be satisfactory of the said Reverend Padres Missionaries and the commander who is to command them.

"And in order to secure the greatest success in these operations, a despatch will be issued bestowing on the Campmaster

the office of Governor of these men, for the purposes of the said conversion with exemption of *media anata* for said purposes;

"And further, in order that the Royal officials of *Nicaragua* and their deputy in the said Province of *Costa Rica* shall promptly provide the said payments to the aforesaid commander and thirty men—giving to them two in advance—and the other expenses, both for maintenance as well as for the others that are required by the said men and the comfort and assistance of the said Padres, the said expenses shall be made by and carried on the accounts of the Royal Treasury under the charge of the said Royal officials and of their said deputy taking precedence over any other matter, this being the will of H. M. for his Royal service and for the pleasure of God, our Lord;

"And also a despatch shall be issued calling upon and charging the said Reverend Padres to assist in the recruiting of the said men, and to make estimates of everything that they need, informing this superior government of the result and success that they may have, of the location of settlements which they may find it desirable to make, or the other things which they find convenient in order to establish the evangelical law, and of the Indians converted and to be converted; and charging them to maintain the greatest security over all whose consciences are in their care, and to offer assistance in whatever may be necessary; and if it is possible to locate settlements upon the road that goes from the said province to that of *Veragua*, they shall seek to do so; and the commander shall see to that and the other things that are entrusted to him by the said Padres, of which they shall give notice, both of them, in order that they may be well understood as they should be; and thus I provided and I signed it.

DON GABRIEL SÁNCHEZ DE BERROSPE."

And in order that what was determined by the said Board and in the document by me provided shall have due effect, I issue these presents, by which I order and command the Royal officials of the Royal Finances and Treasuries of *Nicaragua*, and their deputy in the said Province of *Costa Rica*, that they shall see the said documents which are herein before incorporated; and every one that is affected thereby or that can be affected shall keep, comply

with and execute the same, accordingly as therein contained, without going or coming contrary to the tenor or form thereof in any manner or under any pretext; with notice.

Dated at Guatemala, the 22nd of July, 1700.

GABRIEL SÁNCHEZ DE BERROSPE.

PEDRO PEREIRA.

By command of their Worships.

**Letter of Captain Don Juan de Bonilla to the President
of the Audiencia of Guatemala.** Doc. 141

CARTAGO, July 26, 1702.¹

SEÑOR PRESIDENT, GOVERNOR AND CAPTAIN-GENERAL:

Señor Gabriel Sánchez de Berrospe, the predecessor of Your Honor, was pleased to favor me with the commission of leader and governor of thirty soldiers, who were by his orders recruited in this province in order that they might go to guard and protect the Reverend Fathers, Fray Francisco de San José and Fray Pablo de Rebullida, Apostolic Preachers and Missionaries, for the subjection of the heathen Indians of *Talamanca*;

And the last named having gone by land, we remained with the first one so as to embark on the coast of the North Sea in this province, in two canoes, one much larger than the other;

And having set out from *Portete*, which lies in the Valley of *Matina*, on the 20th day of November of the year 1701, last past, intending to enter by the mouth of the river *Estrella*, we ran by it in the night of the following day, not having with us any guides who could recognise it, and found ourselves the next day at an island that they call *Toja*, which I recognized by the reports that I had heard about it.

Upon my saying this to the said Father, Fray Francisco de San José, he replied to me that it could not be, and inquired of those who went along as guides whether at the narrows of the harbor there were a hillock upon the said island; and being told that

¹ General Archives of the Indies. Shelf 65, Compartment 6, Bundle 28. Fernández, V, p. 399.

there was, he said that it was there that he had entered the first time upon the said island; and with a demonstration of much pleasure he said to me that we should go ashore to see its Indians. But without waiting for anything further he set off in the smallest canoe, with two soldiers and two negroes, who were my slaves, and proceeded to the land. Jumping upon the shore we heard him call to the said Indians in their own language; but as they came out upon the very narrow beach, there arose a tumult among them, and an attack was made with spears in which the two soldiers and negroes were killed, though the said Father miraculously escaped with a three-pointed spear thrust in the region of the kidneys.

Seeing what had happened, we called out to him and approaching near where he was fighting alone in the said canoe, a man jumped in and swam to him and brought him away; he thereupon embarked in ours with the purpose of going back there and entering by the said river; but we were not able to do this because of the contrary winds and the currents.

Thereupon we determined to proceed to *Portobelo* to look for a keel vessel; and upon the 23rd day of the said month we came to the land at *Boca del Toro*, where the Indians live who are called *Guaymies*, with the purpose of taking water. There four Indians came out to us upon the beach and one of them had on a hat, by which we recognised that he was peaceably disposed; and having called out to them, they came down to the beach inquiring if we were Christians, saying that the latter were their friends and that if we were also then we could land; whereupon I sent a man to the beach to talk with them, and about midday he brought them out to us and they spoke with me.

Upon the following day the weather became so bad that it was not possible for the cable of the canoe to withstand it, wherefore it drove upon the shore and was wrecked, causing the loss of the supplies and most of the baggage we had with us; and seeing that we were in so bad a plight, we asked the Indians to let us have one of their canoes, so that we might proceed in it to *Portobelo*; but the one we got was so short that it would not hold more than eight men, and these went in it, with the said Father, arranging to send back to me the same canoe with supplies and within twenty days after their departure.

But we were kept waiting in that place for four months and a half, without hearing anything whatever; by reason of this delay I thought that they must have been drowned, and I determined to send by the mountain region, coming out at *Chiriquí*, one-half of the men who were able to go on foot, whilst I, with the rest, would proceed to the said coast of *Matina* in a canoe which we were then building.

Just at this time, however, the said Father arrived with two sloops, one of them despatched by the President of *Panama*, with orders to land us at the said river which leads to the said *Talamanca*; and the other was one he bought so that we might maintain ourselves in that territory. In these we embarked; and proceeded upon our voyage, but we were unable to enter the mouth of the river by reason of the great calms that were encountered; whereupon we decided to despatch the one which the said Father had bought at *Portobelo* in search of supplies, while we would go on in the other one to said *Matina* and there await its arrival.

This being done, we went on and waited, while the other one was gone for more than a month. In view of this delay, and whilst awaiting its arrival, I made a hasty visit to my home in this city to see my wife and children; but being about to return I was taken with an illness, which proceeded so far that extreme unction and the sacrament were administered to me.

Meanwhile the said sloop came back; and within a very few days thereafter, according to the reports I have received, some eight rebellious Frenchmen from among those who were present in the *Bays of Almirante*, having heard from the said *Guaymí* Indians that I had gone by said river *Talamanca*, took four pirogues and went in search of that river; but after they had ascended the stream through its mouth and had gone a short distance, they were set upon by many Indians, who, thinking these persons to be us, received them by shooting at them many arrows; but by a counter volley they killed nine Indians; and it was then found out that these Indians had been waiting for us more than five months for the purpose of killing us; this information came to us by a letter which was written to this said city by the Father, Fray Pablo de Otálora, who was stationed in the village of *Boruca*, he having learned of the plan from the

inhabitants of that place in the course of the trade and the relations they have with the *Talamancas*; but as they did not find the said sloop, they came to said *Portete*, where on the 4th day of the present month they were taken with ten men, one of them having escaped, who was the one who was more especially responsible for these last events.

Therefore, my Lord, by reason of the things above set forth, the said voyage is spoiled for the present; a large sum has been expended for account of the Royal credit, beside what the Royal collection offices here have contributed from remittances by the Court and what the said President of *Panama* has furnished and ordered to be given to the said Father; and for these reasons the said subjection is impossible unless excessive expenses are incurred by H. M. and more than a hundred soldiers are employed, good countrymen on foot, so that they may go by land. As to this I am awaiting the final determination of Your Honor, in order to obey it in everything you may be pleased to command me (although I am at present full of pains and almost crippled); but I am always ready to serve Your Honor in whatever may be your pleasure, which I will endeavor to carry out most cheerfully. May Our Lord guard Your Honor many years, in the highest promotion of your greatness.

Cartago, July 26, 1702 years.

Your humble servant kisses the feet of Your Honor:

DON JUAN DE BONILLA.

Doc. 142

Letter of Fray Bernabé de San Francisco y Ríos to the President of the Audiencia of Guatemala.

CORPUS, July 15, 1703.¹

MOST ILLUSTRIOUS SEÑOR:

Ave Maria, whose mercy may incline Your Worship to my supplication and control my pen in the present report, which I have no doubt will be pleasing to Your Worship, since it is wholly de-

¹ General Archives of the Indies. Shelf 65, Compartment 6, Bundle 28, Fernández, V, p. 409.

voted to the service of both of Their Majesties and written fairly, honestly and truthfully. It is of the tenor following:

In the past year of 1702, being needed in the work of our Apostolic College, I arrived in *Costa Rica*; and learning that the city of *Cartago* was distant not more than a hundred leagues from *Talamanca*, I determined to undertake its subjection under the rules and commands arranged by my prelates. I reached the localities of *Urinama*, *Cacécara* and *Talamanca*, where, within the period of one month, during which I tried to study and write the languages, I communicated and treated familiarly with those peoples and tribes. I saw, heard and observed carefully their savage customs and methods of living; and with this ocular experience and close intercourse I found it to be very easy not only to support and improve the life of these converts, but also to convert and subject the heathen who dwelt in great numbers among the mountains in the interior.

As regards the new Christians, I ascertained that they already brought the children for baptism (for I baptised a great many), and they were present at the mass, the sermon and teaching, although not all of them came to the latter, as they did some months ago, when, I am informed, soldiers were quartered there. And with this notice only, not a soul was lacking in the church, and this attendance continued until they saw that there were no soldiers, when they went back to their old negligent habits, from which and from other similar antecedents I inferred they have the greatest fear of the Spaniards. Nevertheless, they pretend to be friendly and anxious for them, and very frequently I was asked: "When are the Spaniards coming?" This was asked of me by the tribes of *Urinamas*, *Cavécaras* and *Talamancas* (numbering altogether as many as three thousand), which, being at present engaged in warfare with the *Térrabas* and *Texas*, seek help from the Spaniards. They will go out, so I am told, to receive them half-way from the mountains. And in setting out in warlike array they escort the said soldiers with their spears and bows and arrows, and the latter, with their firearms, united and associated with the said converted Indians, will succeed in the subjection and conquest desired. And this is very important, for thereby the whole of that mountain region will be subjected

and pacified, the hostile heathens conquered and the new Christians victorious and contented.

For all of the foregoing it will be sufficient to have eighty soldiers, in spite of the fact that the hostile heathens may number as many thirteen thousand; that is eleven thousand *Chánguenes*, fifteen hundred belonging to *Tójar* and fifteen hundred of the *Térrabas*, leaving isolated the *Dorasques* and *Guaymiles* and those of the Island of *Toro*, a people desirous of instruction and baptism; speaking only of those nearest, which are the thirteen thousand mentioned, all these will be conquered by the aid of the said eighty men and the three thousand converts referred to, inasmuch as the *Talamancas* are themselves great warriors. In association with the soldiers, it is thought that they will be greatly inspirited, because (as the Indians say) the Spaniards with their muskets can do much. These, with the said Indians, who are well experienced in the trails and ambushes, and moreover very clever with their arms, will be victorious, with the help of God, of the Most Holy Mary and of Your Worship, whose favor I humbly beg in the name of my brothers, the Missionary Fathers of the said mountains; and if Your Worship is desirous of more specific information, let it be directed to be given by the public men of *Costa Rica*, as the latter and all dispassionate men and God-fearing persons will tell Your Worship the same thing, more or less strongly expressed.

The Governor of *Costa Rica*, alone, will report to you the contrary, inasmuch as it seems that he looks with great disfavor upon such things, and even to me he has at various times spoken in a way very much opposed to said conquest; he even went so far as to hold it to be an impossible undertaking, until I made my way into the mountain region and showed that this was an error. But, allowing for the disaffection of the Governor, and considering the distance that it is from *Costa Rica* to *Talamanca*, it seems a great mistake that no one has gone to or been near the said conquest.

I trust that the Lord will reward Your Worship in the care and co-operation which we bespeak and the protection and development which we expect from your pious zeal. May His

Majesty hear us and guard and prosper Your Worship for many years most happily.

Corpus, July 15, 1703.

Most Illustrious Señor: Your most humble and obedient servant kisses the hands of Your Worship.

FRAY BERNABÉ DE SAN FRANCISCO Y RÍOS.

Letter of Fray Antonio Margil to the President of the Audiencia of Guatemala. Doc. 143

GUATEMALA, September 26, 1703.¹

MOST ILLUSTRIOUS SEÑOR:

At the meeting of the Board of the Royal Treasury, which was held on the 28th day of April, of the year past, the statement made by the Predicant Father, Fray Tomás de San Diego y Arrivillaga, Apostolic Missionary of this College of Christ Crucified, was considered, together with the letters from the Very Reverend Father, Fray Juan de Angulo, of my holy order, Provincial Minister of the Province of San Jorge de *Nicaragua*, from the Fray Pablo de Rebullida, from the Fray Miguel Hernández and from the Fray Francisco Guerrero, of the same body, missionaries who have been engaged in the subjection, conversion and pacification of the heathen Indians of the mountain regions of *Talamanca* in the Province of *Costa Rica*, all going to show that, the Friars, after indescribable labors, having already subjected and pacified in that district more than six thousand, four hundred Indians, the latter rose in rebellion, and four thousand of them went back again into the mountains; and that, beside losses of the most serious character, this was followed by the insults and the attacks which have been suffered daily by all those who have remained obedient; and that, therefore, for the help of those souls, as well as for the comfort and the protection of the said missionaries, the most efficient means would be to send into those mountain regions, from the Provinces of *Costa Rica* and *Nicara-*

¹General Archives of the Indies. Shelf 65, Compartment 6, Bundle 28. Fernández, V, p. 412.

gua, which are the nearest thereto, a force of eighty armed men, supported and paid by the Royal Treasury, this course being in entire conformity to the most efficacious desires by which our Sovereigns and Masters have sought and continually seek for the success of their spiritual conquests, as is shown by the Royal *Cédulas* which have been fervently and repeatedly issued for that purpose.

And in order that it may be understood how desirable will be the results flowing from what is proposed and asked for, and how indispensable they will be for so important and glorious an end, my duty compels me to bring to the careful and Christian observation of Your Worship the fact that for fourteen years this subjection was maintained by missionaries of my order, and that by them alone was instruction continued and evangelical preaching given in that section, with the help and aid afforded to them by this superior government, in virtue of Orders and *Cédulas* of His Majesty referred to; and that the territories are very extended and rough which are occupied by the *Chánguenes*, *Térrabas*, *Guaymiles*, *Palenques*, *Borucas*, *Cavécaras*, those belonging to the Island (of *Tójar*) and the *Talamancas*, who all take their designation from the latter, although they are of different tribes; and that from one and another of these tribes as many as six thousand, four hundred came to live subject to the friars under the bell and their instruction, as stated in the said Board.

The greater part of the Indians from those tribes having forsaken us, sadness reigns in all pious hearts, and especially among those of our institution and interest, for we look upon all those wretched people as our own children by reason of the fatigues and hardships undergone in their conversion and pacification during the space of so many years; we have always considered ourselves in many ways under obligation to strengthen so important an enterprise, without neglecting on our part even the most costly and hazardous efforts; and this has been recognized, for in the letter of August 19th of the present year, written from the city of *León* by Campmaster Don Miguel de Camargo, Governor and Deputy of the Captain-General of the Province of *Nicaragua*, which I have submitted to Your Worship, it appears that the

Reverend Father Fray Francisco de San José, and a Friar of said mission, brought to *Costa Rica*, at his own expense and care, thirty men, avoiding in the way the delays and costs which are necessarily incurred in their recruitment, in accordance with the resolution of said Board on the 28th of April, because these Apostolic Missionaries, without neglecting their spiritual duties, which are their first obligation, will gladly co-operate in all temporal matters that may lie within their limited powers, their evangelical deprivation and poverty.

In regard to the means which might be adopted for this holy work, to the end that the intended purpose may be facilitated and that the favorable results expected may be obtained, with the greatest economy possible for the Royal Treasury, I suggest to Your Worship as adequate and in my opinion easy of execution, the resources and opportunities afforded by this same Province of *Costa Rica*; for it has in it a village of negroes and mulattoes, called *San Juan de Herrera*, the labor of whom in the fields represents a value every four years of two hundred and fifty-three pesos, without any further loss than in giving up and allowing to them for the time mentioned this small contribution, upon the stipulation that forty or fifty men among those who make up that settlement are to reside for two years in *Talamanca*, and they will be very glad, it is believed, to assist in that way in that locality.

And in order to recruit twelve or twenty men more from among the inhabitants of said province and that of *Nicaragua*, it is also suggested, as an easy and effective means, that in consideration of this same two years' service in *Talamanca*, Your Worship promise to bestow on one-half of them the rank of captain and sergeant-major, together with the very acceptable condition of relieving them from the payment of the *media anata* (tax on titles or appointments), and to send to them, officially, and without any imposts, the titles and despatches they need in order to take over duties of said offices and enter into the enjoyment of their honors and prerogatives; and that, upon their fulfillment of this service which they are to render to God and the King in the said district, to give them their honorable discharges, so that in the future their privileges and exemptions will be preserved to them; and to supply all of them with such quantities of maize

and meat as appear to be needed for their sustenance. These, then, being added to the thirty men for which provision was made by the said Board, and which are to be recruited and paid from the Royal Treasury, as more or less therein set forth, the whole number will be raised to eighty, which is the least, in view of all the circumstances surrounding this spiritual affair, that is deemed needful in order to keep the Indians from leaving their settlements, and to bring back to those settlements those who, as have been stated, have forsaken them for the lack of such restraint and the respect felt for the Spaniards and the soldiers of their escort. Without this, as is well-known, it has been impossible to take any steps in new conquests, or to support those recently converted, until in the course of time they become fixed and rooted in their settlements and lose the abhorrence which they at first feel toward all missionaries, curates and governors.

And as an actual proof of how necessary and indispensable for the promotion of new conversions this measure that I now ask for is, I bring to the attention of Your Worship the fact that the Royal Treasury sent, and bore the expense (as is always done), of a mission of fifty Friars Observantines² of my seraphic order, to the Province of *Nicaragua*, for the holy and apostolic purpose of pushing forward this subjection, yet the result was that hardly anything could be accomplished therein on account of the impassability of the roads and, what is more, on account of the Indians' lack of respect for and attention to the Spaniards and soldiers; it is always most important that they should have before them a sufficient number to restrain them.

It is more than probable that our Catholic Monarch will deem well employed the expenses which may be incurred in the accomplishment of such subjection, thereby truly following in the footsteps of his noble ancestors, who, upon being informed by their officials and rulers of these Indies as to the difficulties met with in some of the discoveries and which would occasion in the Royal Treasury greatly increased disbursements for their prosecution, responded with Christian liberality and out of their own magnanimous hearts that for the conversion of a single soul they would gladly expend the whole of their patrimony. These diffi-

² Observantines, Monks of a branch of the Order of St. Francis.

culties were all set out as regards the conquest of *Petén* of *Itza*, when the King, Don Carlos II., in his wisdom replied, as follows, in the *Cédula* of January 23, of the year 1698, expressing his recognition thereof:

"I have resolved to direct you that, notwithstanding the obstacles which present themselves concerning the prosecution and success of this enterprise, you are to continue it with valor and persistence, keeping in mind that no great object is accomplished without many difficulties, and that they are overcome only by strength and good-will; and this struggle is, moreover, so greatly for the service of God, and one in which I am so deeply interested by reason of the Catholic and ardent zeal with which I desire the subjection of so many souls to the evangelical faith."

From the foregoing statement it may be inferred that if, in an enterprise, the outcome of which was doubtful and exposed to so many contingencies, His Catholic and Royal Majesty approved the expenditure of very considerable sums, and commanded again that everything be done that seemed to be necessary for the furtherance of such conquest, as appears by the said Royal *Cédula*, then with greater reason and upon a better foundation, may we expect the same consent and approbation for the little that will be expended in re-establishing and preserving this subjection of *Talamanca*, which, as before stated, had come to have six thousand, four hundred Indians already pacified and brought within the fold of the church; but, for the lack of a garrison or escort of soldiers, it is now seen to be miserably robbed of the greater part of them, who have gone back to their mountains, with the great injury resulting therefrom that they are making war and engaging in cruel hostilities against those who are left in this mission because the latter did not follow them in their desertion and apostacy; and moreover, it is unquestionable and true, under the principles of natural law, positive and divine, that the obligation of preserving and maintaining what has been acquired and pacified is more mandatory and necessary than that of making new acquisitions and conquests.

And besides the inestimable harvest in the conversion of these souls, which has always been the main object for which the Sovereigns of Spain have applied to these conquests their Royal

credit and powerful efforts, there follows at the same time the extension of their domains, with a very considerable augmentation in vassals and contributions, as well as the profits promised by the minerals and placer gold, and these latter not inferior either in quality or abundance to those in the Province of *Darién*, which is a continuation of the same vein and near at hand, it being the same cordillera and range which runs through those districts from *Nicaragua*, *Costa Rica*, *Escudo de Veragua* and *Panama*, to the said Province of *Darién*.

And because delay will mean that irreparable damage will be done not only as a result of injury to the persons and the fields of those who remain obedient, but because every day the abhorrence against the Gospel and the missionaries grows more pronounced in the minds of those who have gone away, is the reason why my humility does not and will not prevent me from presenting to Your Worship all the ideas and the arguments which seem to be required in order to secure the re-establishment, the preservation and the progress of these missions, and insisting upon what is set forth and contained in this poor and rough sketch of mine as the most effective means to the desired end if it can be applied promptly; and in urging that there may be the greatest haste in this matter, as well as the others relating to the government of Your Worship, I remain with my community praying that Our Lord keep and direct you with his sovereign wisdom and may preserve you in the greatest felicity for many years.

College of Christ Crucified of this city of *Guatemala*, on the twenty-sixth of September, 1703 years.

FRAY ANTONIO MARGIL DE JESÚS,
Guardian and Commissary of the Missions.

Letter of the Missionaries to the President of the Audiencia of Guatemala. Doc. 144

NOVEMBER 16, 1706.¹

May Jesus live eternally in our hearts and keep Your Highness, Most Powerful Señor, for many happy years.

The Divine Majesty has been pleased, Señor, to bring all of the foot-soldiers successfully to this place of *Orinama*, without any one having died upon the way; and they were so well received in the country that they came in without experiencing any resistance, but rather, when the animals became crippled, received much help in the carrying of the provisions, the opening of the roads and loading of salt and other things. These Indians were from those of the first two villages of *San Bartolomé* and *Santo Domingo*; they were paid for their labor by the Governor himself who is at the head of the expedition of conquest, and they remained attached to him, and this led to a change in their opinions, for they were disabused of some false reports which they had heard as to the Spaniards.

After some delay in this village, the cause of which will be stated later, the Governor passed on to *Santo Domingo*, where the Indians received him with much cordiality. He was there for some days and gathered together in the village all the Indians, and caused many houses to be constructed, so that in the mercy of God all of them now have a house in the village. He directed a *cabildo* (town-hall) to be erected, and a maize-field to be laid out for the soldiers, paying the Indians for their work on the maize-field and the *cabildo*.

During this period he was taken ill, but he conferred with the sergeant of the company, who was named Segura, in regard to his going to *San José* in company with one of the Fathers and taking some soldiers, so that no time should be lost on account of his illness. The said sergeant obeyed and secured such a favorable entrance into that village that no opposition was experienced whatever. He was there some three days calling out

¹General Archives of the Indies. Shelf 65, Compartment 6, Bundle 28. Fernández, V, p. 438.

to the Indians, and some of them during this time came out from their *palenques*; and upon the third or fourth day that he was there the Governor himself arrived with a few other good men, having left in *Santo Domingo* others who were sick. The two of them being then in *San José*, together with one of the Fathers, a church was built and a *cabildo* for the soldiers; and the people also received the Governor without any opposition.

The Indians came out from their *palenques* and from what we saw the Indians were very friendly to the said Governor and to the soldiers; and this is the locality in which they can remain without danger from the *Térrabas* Indians or the English; moreover, in these three villages the Spaniards have been shown much friendliness, since they have had brought to them plantains for their sustenance and whatever else that was available, the Spaniards on their part not neglecting to pay them, so that there was no complaint whatever.

Being in *San José*, the village of *Jesús* came to present its submission, that of *San Agustín* and of *Santa Ana de Viceita*, and a *cacique* called *Presberi*, who is not yet a Christian and who in times past was very much opposed to the Fathers. The village of *Santa Cruz* also came, which the Governor joined with the village of *Jesús*, at the request of the Indians of *Santa Cruz* themselves.

The villages of *Jesús*, *San Agustín*, *Santa Ana de Viceita*, *Santa Cruz* and *Presberi* belong to the *Talamanca* tribe, different from the *Cabécar*. The first three which admitted us are *Cabécar* Indians, the *caciques* and rulers of which have worked hard in the interest of the Spaniards, recommending them to the *Talamancas* and thereby doing away with some false reports which had stirred up the timid ones; and they are now constructing three churches among the *Talamanca* tribes. Among these *Talamancas* only three small villages are lacking from among those that have not come to see the Spaniards, and we feel very sure that they will not long resist inasmuch as the other villages are the largest and what takes place in the larger ones will be followed in them.

From what one of us has seen and heard between these two tribes of *Cabécar* and *Talamanca*, we feel very sure there are three thousand Indians. Since Lent, and up to this time, there have

been baptised one hundred and fifty persons and, by the advice of the Spaniards, some are being married.

San Bartolomé de Orinama, which is the second village of the tribe, is the poorest village that there is, it having been almost completely deserted by the Indians. Upon reaching it the Governor assembled the few who were there, together with their chief, named Baltazar, and he told them of the good-will of His Majesty and of Your Highness, who had sent him to bring back the fugitive Indians to the village; and as a result of his industry and that of the soldiers, and without sending any of the soldiers against the said Baltazar, God was pleased to make the latter obedient and induce him to go in search of the fugitives with the men he had. In this journey, going and returning, the Governor spent a month and a half, it being distant from the village and the said fugitives being scattered in various localities, and he had to punish some in order to bring back the fugitives. Up to the present time he has brought to us forty-one Indians, adults and children, and these with those who were already here are building their houses. There will be built fourteen houses. There are still missing twenty of the Indians who went away from this village and kind measures have been taken to get them back, so that in a few days we expect it will be accomplished.

As to the *Térrabas* Indians, from the reports which we get as to them, some are desirous of making peace and others not; but notwithstanding this news we have heard through a Spaniard named Carvallo, who is in the village of *Téjavas*, near *Buruca*, treating with and subjecting the *Téjavas* who belong to the same *Térrabas* tribe, that he with some *Téjavas* Indians would come to see us to make peace, first sending these Indians to the *Térrabas*. This we know by letter and we expect it, because permission to do this was asked for. We trust in the Lord that it will be carried out without any trouble or danger to the life of any.

Of the Spaniards, some at the present time are sick, two have died and the others are well. We have reported all this to the Governor of *Costa Rica*. This sickness was the cause of the detention in this village of *Orinama*, for nearly everyone was ill. The Governor of *Costa Rica* has promised to change the men in the month of February, and depending on this transfer it has

been resolved by these soldiers to stay until that time; and in order that this change may be carried out, Sergeant Francisco de Segura goes to bring the others, and he takes with him some *Talamancas* Indians for the purpose of having them see the Spaniards; the Governor meanwhile remains in charge of the place and is building churches.

And speaking once for all of the peaceable character of the Indians and the kind conduct of the Spaniards, there have been among us no contentions or disputes, nor any killings or scandals as to concubinage that we have known of, for the Governor has been careful in everything.

There is nothing else to report to Your Highness at the present. We will continue our reports if the Lord gives us life; may He guard Your Highness many happy years.

November 16, 1706.

Your humble servitor kisses the hand of Your Highness:

FRAY PABLO DE REBULLIDA DE SANTO DOMINGO.

FRAY ANTONIO DE ANDRADE.

Doc. 145 Report of Fray Antonio de Andrade and Fray Pablo de Rebullida to the Audiencia of Guatemala Concerning the Progress of the Mission. Description and Travels Through Talamanca.

CARTAGO, January 10, 1709.¹

MOST POWERFUL SEÑOR:

Fray Antonio de Andrade and Fray Pablo Rebullida of the order of Santo Domingo, apostolic missionaries, members of the College of Christ Our Lord Crucified of the City of *Guatemala*, and engaged in this conquest of the Province of *Talamanca*, etc.

Understanding it to be our duty to report to Your Highness as regards the present condition of this conquest, so that Your Highness may be duly informed thereof for such action as it may

¹ Archives of the Indies. Secretaryship of New Spain. Secular. Audiencia of Guatemala. Despatch concerning the subjection of the Indians of Talamanca. Year 1713. Fernández, V, p. 450.

be desirable to take in relation thereto, we state that since the entry of the company which Your Highness directed to be recruited for this conquest, consisting of fifty men and a leader, which entry was in the month of July 1706, down to the present, this mission to the heathen has succeeded in establishing fourteen churches, which are now being maintained, together with their holy images, and most of the Indians have been present at the mass and are under Christian instruction that is being given to them in their own language.

There have been baptised 950 souls; peace was brought about between the two tribes of *Térraba* and *Talamanca* and they have continued in amity and at peace. In the first settlements thirty-four marriages were celebrated by the Church, confession being first made before the marriage service; the roads are open from the city of *Cartago* to the Province of *Térraba*, which is the farthest one that has yet been reached; the Indians have been instructed, in their own tongues, and although some being badly disposed and for lack of sufficient force have not been present at the mass and received teaching, still others have become so well versed in the mysteries and other things that the glory of God is displayed in their capacity and good inclination.

Of the younger ones baptised we have taken note that in the first three or four settlements twenty-eight have died, but as to the other settlements the Indians have not given us information, because they are ashamed of their death and so conceal it. This we deem is the most important of what has been accomplished and will not therefore go more into detail here upon this point, but further on or in the copy at the end it will be summed up; this we believe will be very pleasing to Your Highness and a consolation for us as deserving the credit that we in truth promised ourselves, for it is likely some have not neglected to say in your city that *Talamanca* has not in its province a thousand Indians. We deem those who make this statement to be without knowledge whereof they speak or never to have been in this province, for even without regard to the fact that it would be a grave falsehood to tell Your Highness that there are five thousand Indians of those who are on our side, if it were not so, we will at least state what is the truth, irrespective of our cloth and the

profession to which we belong; and so in this particular Your Highness may be assured that what we have reported up to the present and what we shall hereafter report, has been and will be stated as eye-witnesses, with due regard to that equity which it is our duty to observe.

The Indians who are with us at peace number five thousand, but some of these (the *Tójares*) have not been baptised, although the Reverend Father Fray Francisco de San José went to the island on two occasions for that purpose, but could not get hold of all of them on account of the hindrances thereto. These five thousand Indians are made up of the tribes of *Cavécar*, *Talamanca* and *Térraba*, and the island Indians form a part of that number because they are *Térrabas*. The *Cabécares* and *Talamancas* number three thousand Indians, and the *Térrabas* and the Islanders two thousand. For reasons that we have we believe the number of the *Térrabas* and the Islanders to be greater than that, though we will not make the computation greater than that here, since the last time that the Father Fray Francisco de San José was in the island he learned that out of the children baptised two hundred had died, and from what the *Térrabas* say the Islanders are more in number than they are. We will advise Your Highness as to the excess hereafter, for although we have made the estimate here that the number at peace with us is five thousand, it may be, and doubtless is, the fact that if they were physically counted more would be found, but as it is almost impossible to actually count them, or to ascertain how many are married and how many marriageable and young, as that would take a great deal of time and would not be accurate, since they live so widely scattered, we will make this fair estimate, according to our experience, preferring rather to be a little short and on the safe side rather than to take the easier course of making it too large. This number of Indians includes the young and the old and those of both sexes.

From the *Térraba* country to the *Chánguene* tribes it takes two days by road, but these two tribes are now at war as formerly, it not having been possible to arrange peace between them on account of the difficulties and the brief space of time; but in years past when they were at peace 1900 *Chánguene* Indians were bap-

tised and 150 marriages were celebrated. The one who was then among them is with us now, and that is Fray Pablo de Rebullida of the order of Santo Domingo, who was among those Indians for twenty-three months; he baptised and performed marriage among such of those as are left. They were the ones who took away the sacred vestments from this Padre; we refer here to the Indians who have been baptised and married, for the Indians of this tribe alone number five thousand, beside those taken away by Captain Ulate and Captain Pedro de los Ríos to *Chiriquí*. These five thousand *Chánguenes* Indians are at the North, but not so far to the North as these.

The way to rule over these five thousand *Chánguenes* Indians we will state further on, when we shall also speak of their districts and roads. Beyond these *Chánguenes* there are three tribes of Indians called *Zeguas*, *Almirantes* and *Guaymiles*, and we estimate that there are eight thousand Indians in all three of these tribes; and among those eight thousand Indians, we believe, are some that they say have tails. This affords in passing a full knowledge as to these mountains; for these are all the Indians there are on this coast as far as the castle of *Chagres*, unless there may be some in hiding. Those that we want to get now are the *Cabécares*, *Talamancas*, *Térrabas* and *Chánguenes*, the number of which Indians is ten thousand, including the young and old and both sexes; and in that regard we will propose to Your Highness such measures as we shall deem the best to be taken for the execution thereof. This is a summary of this mountain region, upon which further light will be thrown by the copy at the end of this report.

This is what has been seen, learned from reports, favorable to the gaining of many souls, but it being our duty to tell what stands in the way of its accomplishment, we state that what we have found and greatly regretted is that the enemy (the English and the Mosquitos) have been a source of great fear in this conquest on account of the outrages daily committed upon the Indians, sometimes carrying off the women and children, sometimes killing them with gunshots and robbing them in their poverty. During the period of sixteen years since this conquest was begun, those enemies have carried off more than three hundred

Indians, and this evil continues and does not cease; since after the Chief Governor Raphael Faxardo withdrew to *Cartago* with his men, and while we were engaged upon this conquest, incursions have been made on two or three occasions, during which they carried off some eighteen Indians and killed three. All of this was done between the months of March and August of this past year of 1708. The last time the enemy appeared it was at the settlement of *Concepción Purísima de Talamanca*, where two Indians were killed and ten were carried away from that village. This village of *Concepción de Talamanca* is where we decided that the Spaniards should settle with their families, it being a suitable location for that purpose, as we have informed Your Highness, not only because of its good soil for their support but also for the conduct of this conquest. It has been our opinion that this settlement should be desirable and greatly to our advantage.

But at the present moment we find ourselves quite opposed to that idea, and we believe we were moved by a divine impulse in making the change, for the reason that the settlement of *Talamanca* by Spaniards would cost a great deal and be of no advantage; the loss would be great where we would think it would be but little, for we believe that if the enemy referred to should keep on after the Spaniards had made their settlements, the cost, time and toil would be so great in consequence of such attacks by that enemy, that the whole population would be lost, the Spaniards dead, the farms devastated, the products seized, and the women carried off into the mountains, and all the expense against the Royal funds which it had been deemed desirable to incur up to that time, turned into a loss.

And so, in face of this probable damage, which we deem most serious and contrary to our desire, and the danger being imminent, as we know by experience, we must seriously oppose such settlement of *Talamanca*; and as this is a matter worthy of a warning we report to Your Highness in regard to all thereof, in order that being fully advised of the grave danger which we foresee, you may co-operate with us in what we have determined upon, which is that the Province of *Talamanca* be not settled, but that the Province of *Boruca* be settled by Spaniards, and that to the latter the Indians may be removed, and also that they may be

removed to the regions of *Chirripó* and *Teotique*, which lie toward the city of *Cartago*, all good soil for this purpose, as hereafter stated.

But if objection be made to this our determination and to its execution, that a guard must be kept for defense, to that we say that Your Highness knows how much it costs His Majesty (may the Lord preserve him), and the Royal funds to keep guards for the protection of *Matina* Valley, where the residents of the city of *Cartago* have helped in its defense for many continuous years and with arms. We know that watchmen are not sufficient, nor will any amount of care prevent those who are in that valley from being robbed and those carried off that may be selected for slaves, for it is very likely that neither the coming or the departure of these marauders would be known, inasmuch as the country of *Talamanca* is an open one. And if the Spaniards would defend it, which we doubt, they could not protect the Indians, because many of them live in different sections and regions, and these natives are always going to look for salt along the shores of the sea, where they are often carried off by the enemy. Therefore, in good conscience we cannot say to Your Highness anything less than that these Indians should be taken away to such place as we indicate and in the manner we shall point out.

This point, as to removing the Indians for the purposes of settlement, we have discussed with the Señor Governor so worthily representing this province, Don Lorenzo Antonio de Granda y Balbín, who out of his experience and ability, and the great zeal he feels for this cause, said to us that he was of the same opinion as ourselves, and this city of *Cartago* is of the same view; that is, that there should be removed to the province of *Boruca* those that are near to it, and to *Chirripó* and *Teotique* those that could be taken for the same reason. And even if the reason for removing the Indians were not what we have already stated, it should be sufficient to state that some of them could not prosper in their own territories on account of difficulties in the way of their administration; among these difficulties are the *Térrabas*, for even if *Talamanca* should be settled by Spaniards those Indians will always be what they are now.

These *Térrabas* Indians can be removed to *Boruca*, from whence

they are distant five days by road toward the North, and they number one thousand.

The Indians called *Viceitas*, who are *Talamancas*, can be removed to *Boruca*; these number seven hundred and are distant from *Boruca* six days by road. All the rest of the *Talamancas* and *Cabécares* can go to *Chirripó* and *Teotique*.

A region called *Zonabora* is distant from *Boruca* five days by road; the Indians of this region are the *Chánguenes* and number fifteen hundred; they can be removed to *Boruca*.

From that region to another called *Charlún* it is two days by road, and this region has five hundred Indians and the same language—the *Chánguene*.

From *Zonabora*, two days by road, is *Chorriba*, a locality that has one thousand Indians and of the same nation.

From *Zonabora* to another region called *Manigolasca* it is two days by road; here there are three hundred Indians having the same language—the *Chánguene*.

From *Zonabora* to a region called *Cachacabaza* is two days by road. These Indians number eight hundred and are of the same nation.

From *Cachacabaza* to the Island of *Tójar* it is two days by road. On this island they speak the *Térraba* language.

All these *Chánguene* Indians can go to the Province of *Boruca*, excepting those of the Island of *Tójar*, *Chorriba* and *Cachacabaza*; but supposing that these *Chánguene* Indians do not leave, although they can do so, at any rate it will be very easy to govern them from there, since *Boruca* is settled, because the Island of *Tójar*, which is the fartherest off from *Boruca*, is only nine days distant by road and in the whole of that distance only one day is spent passing through the country of the *Chánguene* Indians. What we state is the result of the experience had among them by the Father Fray Pablo de Rebullida of the order of Santo Domingo, who was among them for a period of twenty-three months, as stated before.

This Province of *Boruca* is capable of raising a great many cattle and animals, because it is all located upon the Savannas, although in the background there are mountains.

The distance from this settlement of the Province of *Boruca* to *Chiriquí* (a Spanish settlement) is four days by road, and

being so near to *Boruca* can furnish in great numbers the cattle the latter may need, for they are very abundant in *Chiriquí*; articles of iron and whatever they may require may also be furnished, the said *Chiriquí* having a seaport and commerce with *Panama*.

Three days' distant by road from *Boruca* is the South Sea, and as we have said this is capable of holding the Indians that we say can be settled there, for it is now also capable of holding fifty families of Spaniards, who, if it be the pleasure of Your Highness, may be directed to settle in the said province. If this is done, Your Highness will also succeed thereby in subduing the Indians of *Boruca*, of which there is great need.

To the region of *Chirripó*, which is five days' distant from the city of *Cartago* by road (and that of *Teotique* three), can go the *Cabécar* and *Talamanca* Indians, so that taking away the *Vizeitas*, who are *Talamancas* and are to go to *Boruca*, as before stated, there will go to these two localities 2,300 Indians, which is the number of these *Cabécares* and *Talamancas*.

These regions of *Chirripó* and *Teotique* were settled in years past. They are good locations and leading thereto from *Cartago* is a road which, although rugged, is passable for animals.

To this region of *Chirripó*, which has been already settled, though but for a short time, we have decided to remove this Summer three hundred Indians who have promised to go and settle themselves in that region; and in order that this may be the better carried out, we determined to put fifteen men at work in the locality referred to for such time as might be required, both in maize-fields as well as in plantain groves, and the Indians who have been there for some time will work with them. When this work is accomplished we will enter at first with the thirty men, and we will take these three hundred Indians. If any of these three hundred are left behind they will go later, and we trust in God that little by little they will go, because these natives know how dangerous the English and *Mosquitos* enemies are; for this reason they will be constrained to move.

In these two years we shall see what we can do and also succor the Islanders and *Chánguenes* with baptism and such teaching as may be possible, until such time as it may be ordered otherwise by Your Highness in a *provisión* issued on the subject.

At the beginning of February we will set out for the region of *Chirripó*, in company with the fifteen men, to carry out what has been proposed; and the season for work on the crops being ended, as mentioned, we will enter with all of the thirty foot-soldiers. We will remove the first three settlements, which are called *San Bartolomé Urinama*, *Santo Domingo* and *San Buenaventura*.

There are very few of these Indians that have not been married by the church, and they are the most tractable of the mountain region.

All that has been decided as regards the entry and also the men for the work to be done was approved by the Señor Governor of this province, to whom, the recruitment having been made very quickly and quite willingly, we petitioned that half of the men recruited and paid might be reserved until we should ask for them from the interior. It was so agreed and these matters were settled in this way.

To this determination of removing the Indians some objections may be offered. One is that the Indians being in large numbers it will cost a great deal to move them, and, as those on whom this expense ought not to fall will be fearful lest they have to bear it, this also will hinder. Another objection will be that men have gone out to drive away or stop the enemy so that they may not accomplish what they have undertaken, wherefore it follows that if the real reason for the removal of these natives is the forays into their territories by such enemies, and they find that the latter have been driven out, then there would be no further reason for removing them.

As to the first, it is clear that it must cost a good deal, but it will be little at a time, for the part of wisdom in mountain regions and in conquests is to have patience, to take time and be prudent. As to the other two reasons which go together, it will happen that, after considering the reports already made concerning this conquest, His Majesty (whom may God guard), will command that there be given what is needed for the subjection of those souls; and, provided there is no longer any fear as to the enemy, we should be able to remove those Indians within the two years during which Your Highness grants us the thirty foot-soldiers, and this removal will be very successful and for all time. Furthermore, to make a settlement of Spaniards the withdrawal of

the Indians to another place would be necessary, in order that upon their good lands from which they are taken we might put the cattle which are to be raised for their support.

To this it may be added that in the mountain regions there is danger that the enemy may seize the Friars, as has been done already; and for this reason there will be none venturesome enough to penetrate into them; but in removing the Indians we carry out what Your Highness ordered, which is that the settlements near the North Sea be withdrawn, for unless they are removed protection cannot be afforded, since all of them, as Your Highness will see from the copy, are almost contiguous and extend along the whole northern coast.

We have also recognized the fact that although *Talamanca* is a good territory, there are much greater reasons for settling *Buruca*, because the Spaniard in his manner of living has need of cattle and animals. In these mountain regions it is not convenient to employ them; wherefore, it is difficult to secure their settlement; and to this day the residents of this province dread *Talamanca* on account of the roughness of the roads and the other difficulties encountered there.

Now, after the withdrawal of the men to the city of *Cartago*, the Indians of *Térraba* desired us to perform baptism, and upon one occasion they were well sprinkled by one of us with the water, but on three or four occasions they drew spears against us; and why?—because they found themselves free in their territories and we were alone with a servant who accompanied us. We do not refer to more of these incidents because they are not matters worthy of the pen, but enough has been said to show that we are pleased at the recruiting of the men. On the other hand we ought to be very thankful to the Indians for this conquest, for all along the road these natives have maintained the soldiers, so that His Majesty must have been saved a thousand pesos which it would have cost for their food if it had been brought from outside.

On the eighth day of December of this present year we left the scene of this conquest; the Indians remained peaceful, also the *Cabécares*, *Talamancas* and *Térrabas*, and all want the Spaniards, to whom those natives have done no harm of any moment during

the whole time we have been among them, nor have the Spaniards shed a drop of blood in their conversion.

COPY OF THE NUMERICAL LIST OF THE INDIANS EMBRACED IN THE CONQUEST OF TALAMANCA, THE VILLAGES, ROADS AND RIVERS IN THAT COUNTRY, AND THE DISTANCES FROM ONE VILLAGE TO ANOTHER.

From the city of *Cartago*, the last Christian settlement on this side, by way of the North Sea, to the first settlement of Indians of this mission, called *San José de Chirripó*, it takes five days over a very rugged road, but it is passable for mules. Three large rivers are found up this point.¹

From thence to *San Bartholomé de Urinama* it is three days over a bad road, with swamps and ridges; two large rivers are crossed and the one near this village, which the Indians call *Tariri* and which is called *Estrella*² by those who navigate in the North, is very large, because before it empties into the sea it has flowing into it three large rivers and other small ones.³

Thence to the village of *Santo Domingo* is one short day on the road.

From the latter place to the village of *San José Cabécar* is one day over a bad road.

These Indians mentioned speak one language, which is the *Cabécar*, although some of them are not *Cabécares* by birth.

Thence to *Jesús*, a village of *Talamanca*, is one short league.

To the village of *San Juan Bautista* one short league.

Thence to *San Agustín* a long league, and a river is crossed, which is called *Cuoin*.

Thence to *Santa Ana de Dios* one day over a bad and hilly road.

From thence to the village of *San Antonio de Jesús* about a half league.

¹ The rivers *Reventazón*, *Pacuare* and *Chirripó*.

² The River *Estrella* is not the *Tariri*, although they were formerly confounded.

³ The principal affluents of the *Tariri* or *Tiliri* are the Rivers *Coén*, *Lari*, *Urén*, *Choli* or *Zurquín* (*Chorquín* it is called by the Illustrious Señor Thiel, Bishop of Costa Rica, in his *Apuntes lexicográficos de las lenguas y dialectos de los Indios de Costa Rica* (Lexicographical Data as to the Languages and Dialects of the Indians of Costa Rica.)

Then, turning back to *San Augustin*, from *San Augustin* to *San Miguel* it is a league and a half.

To a place called *Namatz*, settled by Indians, it is two long leagues over a bad road.

Thence to the village of *Santísima Trinidad* it is one long league.

From here to a place called *Cachaberí*, settled by Indians, it is one league over level ground.

From thence to the village of *Concepción* one league over level ground.

This village of *Concepción* is the last in the *Talamanca* nation, and from the village of *Jesús* to *Concepción* they speak a different language, which is the *Talamanca*.

From the village of *Trinidad*, at a distance of four leagues, lies the village called *San Buenaventura*, which is midway between *Trinidad* and *Santo Domingo*. Some natives have been taken away from this village by the enemy.

From the village of *Concepción* to the first one of the *Térraba* nation, called *San Andrés de Billiz*, it is six leagues over a good road; two large rivers are crossed called *Ararí* and *Urén*.

This *Térraba* nation has a thousand Indians; they speak a different language from the *Talamanca*, and they live scattered and in bad regions; that is, not all, but the greater part of them.

The islanders of *Tójar* belong to this *Térraba* nation. This island we have not yet seen, but the Padre Fray Francisco saw it, as we have already said.

These *Térrabas* are much given to praying and are very clever people, for we have even seen them reciting by heart. They have great faith and do not easily forget what is taught to them, as the other nations do.

The islanders, not having left for the reasons already given, greatly desire that we should baptise them.

After the *Térraba* nation comes that of the *Chánguenes*; this has five thousand Indians, with a language quite different from the others mentioned, but Fray Pablo Rebullida of *Santo Domingo* is acquainted with it. Mention has already been made of those that are baptised and married in this nation, the baptisms being 1,900 and the marriages 150.

After this nation (*Chánguene*) almost immediately follow other nations; the *Zeguas*, *Almirantes* and *Guaymiles*,⁴ and in the latter, we believe, are to be found the Indians with tails. All these three nations must have eight thousand Indians; and all the Indians mentioned are upon the North coast.

NUMBER OF INDIANS IN EACH NATION AND THEIR VILLAGES.

Cabécaras.

A. B.	San José de Chirripó.....	30
A. B.	San Bartholomé de Urinama.....	115
A. B.	Santo Domingo	246
A. B.	San José Cabécar.....	500

Talamancas.

	Jesús	450
A. B.	San Juan Baptista.....	200
A.	San Agustín	300
A.	Santa Ana de Dios.....	350
A.	San Antonio de Jesús.....	350
	San Miguel	130
	Namatz	112
A.	La Santísima Trinidad	190
A.	La Purísima Concepción.....	70
	Cachaberí	50
	San Buenaventura	56

3,149

⁴The *Zeguas*, *Seguas* or *Siguas*. In the *Térraba* language the word "*sigua*" signifies "foreign." These are the *Mexicanos* found by Juan Vázquez de Coronado in 1564, and with whose chief Iztolín he spoke in the Mexican tongue. According to several documents these Indians were *Chichimecas* who emigrated from Mexico and came and established themselves in the neighborhood of the bay of *Almirante*, in the valley of *Coaza*. The *Almirantes*, so-called by the missionaries, lived upon the shores of that bay, and the *Guaimies* of *Guximiles* to the East of the old River *Guaimí*, now the *Chiricamola*, and of the River *Chiriquí* (Calobébora).

All the villages against which the letter "A" appears on the margin have churches; and those which have the letter "B" have both church and convent; and there are five *cabildos* (municipal buildings) in the various villages.

The *Térraba* nation is divided into tribes; it has three churches, which are San Pedro, Santa María and San Buenaventura; the number of all is that mentioned, or one thousand Indians, and the islanders as many more.

The *Chánguenes* are those which we have already said number five thousand Indians, which number is made up of old and young and both sexes, as also is the number of eight thousand of the other three nations. So that we also said it was a moral although not a physical impossibility for even those best acquainted with them to count them, not only because, as we have said, it is impossible, but because they are so numerous and so many of them die that we do not see. But it is our opinion, from the *palenques* that are in existence, that such is the number, although while not physically certain, it is at least morally certain and reasonably probable.

This is what we have to report to Your Highness up to the present time, and may the Lord guard you many years with greater increase of lordships and kingdoms.

From this Convent of our Padre San Francisco of *Cartago*, on the tenth of the month of January, 1709.

The servants and chaplains who kiss the hands of Your Highness:

FRAY ANTONIO DE ANDRADE.

FRAY PABLO REBULLIDA DE SANTO DOMINGO.

Doc. 146 Royal Cédula Concerning the Colonization of the Indians
of Boruca.

MADRID, April 28, 1709.¹

THE KING.

To the President and Judges of my Royal Audiencia in the city of *Santiago de Guatemala*:

Don Francisco Serrano de Reyna has brought to my knowledge that in the year 1703, when he was Governor of the Province of *Costa Rica*, he advised my Council of the Indies of the great advantages which would result to my service if the Indians of the territory of *Boruca*, situated between that city and *Panama*, numbering about a thousand, could be gathered together in a well organized village, and if, in lieu of the cacao paid by them as tribute and which was insufficient to meet the allowance made for the two friars who were located among them, it should be provided that each one of the age to do so should make for the annual payment three pounds of *pita*, which, at four *reales* per pound, would amount to 1,500 *pesos*, out of which 500 *pesos* could be appropriated for a missionary to be located there constnatly, 500 more to my Royal Treasury and the rest to maintain a Lieutenant Governor, appointed by the Governor of *Costa Rica*, so that they may be governed civilly and politically, that those Indians may be taken care of in the best manner, and so that, finally thereby, safe communication may successfully be secured between the two provinces of *Panama* and *Costa Rica*, and as such statement has only just been received by my Council of the Indies, it has been deemed well to enjoin upon you, as I now do, to advise me very definitely and clearly as to the conditions in which the Indians of *Boruca* are situated, of the form of their government and as to the benefits or the disadvantages which may result from the accomplishment of what Don Francisco Serrano de Reyna proposed, so that, being informed of everything, I may determine what appears to me best for my service; and upon the first oppor-

¹ Archives of the Indies at Seville. Audiencia of Guatemala. Official Registers. Royal Orders directed to the authorities of the district. Years 1708 to 1735. Peralta—*Jur. Territ.* p. 331. Fernández, IX, p. 70.

tunity you will advise me of the reception of this despatch and of what, in view of what is contained therein, you shall do and decide upon.

Dated at Madrid, the twenty-eighth day of April, in the year one thousand seven hundred and nine.

I, THE KING.

By order of the King, our Master:

DON GASPAR DE PINEDO.

Letter of the Governor of Costa Rica, Don Lorenzo Antonio de Granda y Balbín to the President of the Audiencia of Guatemala.

Doc. 147

CARTAGO, October 19, 1709.¹

SEÑOR PRESIDENT DON TORIBIO DE COSÍO:

Very Illustrious Señor: There has just arrived in this city the Very Reverend Father Fray Antonio de Andrade, Vice-commissary of the Subjection of the Indians of *Talamanca*. He brings the very sad news that, on the 28th day of September last, those savages, conspiring at the same time with the *Térrabas* and those of the Island of *Toja*, and with those who were already settled in *Chirripó*, inhumanly murdered the Reverend Fathers Fray Pablo de Rebullida and Fray Antonio de Zamora, also ten soldiers out of the twenty who were stationed there, and the wife of one of them, and burned fourteen churches, convents, chalices and other sacred articles, the said Father, the commander of the guard and the others miraculously escaping from the innumerable Indians who acted together in this evil work, fighting with such weapons as they could get hold of; but they were pursued and set upon at various places, until very near the village of *Tuís*, which is twelve leagues from this city. So great was their need that they were compelled to even chew raw hides; and the said Father had a wound in one leg, while the sergeant and others were wounded in different places; and although from the said villages the said Father and the said commander gave me the

¹ General Archives of the Indies. Shelf 65, Compartment 6, Bundle 28. Fernández, V, p. 468.

general news, I did not forward it to Your Worship at once, until I could do so in detail upon their arrival here.

This is a matter we all feel very deeply about, not only on account of the amount which the said subjection has cost His Majesty (may God protect him) from his Royal Treasury and the labor of the poor natives of this province, but in the loss of the lives of the said Reverend Fathers, although they were sacrificed for God; and I assure Your Worship that had I or the officers here any funds, with the few weapons that are left and those Your Worship forwarded to me, although they are not a full outfit for the two hundred men who are required, I would have set out upon the road to go and punish so evil a deed at the very hour the said Father arrived; but at the same time I felt a good deal of misgiving lest these Indians might take a resolution to surprise this city at the same time, for they are in league with the *Borucas*, *Mosquitos* and English, who undertook, with seven pirogues manned by a number of the Indians mentioned, to come to the Valley of *Matina* to take vengeance for those who were killed there among the last who entered, of which I have informed Your Worship, I have very little confidence in the said *Borucas*. But finding myself without any money for the expedition referred to, or for the maintenance of a guard upon both of the seas, for postal messengers and other expenses absolutely required, and having but few weapons, most of our arms that were in *Talamanca* having been lost, it was necessary for me to have recourse to the bounty of Your Worship, so that, if Your Worship saw fit, after the news of this event, the command might be given to forward at once at the first opportunity, sufficient money for all these things, with the weapons and munitions sufficient to equip the two hundred men of whom I spoke. Upon this being done by Your Worship, I promise to at once set out with them to chastise those savages and take revenge for the blood of the said Reverend Fathers, a measure which I submit will be for the restraint of the other Indians and the security of this said province, because, if it is not carried out in that way, we will run the risk to which I refer. And having this in view, I have made a proclamation that to all those who may desire, for the service of His Majesty, to take part in said chastisement, will be allotted all the Indians they take in the contest, except the

leaders of the conspiracy, to be held in service for ten years; and after being instructed in what pertains to our Holy Catholic Faith they will be located in settlements, paying the Royal tribute. Up to the present time many have offered to take part in the infliction of such chastisement; but on account of the fear that they feel as to lack of protection for themselves and their wives and children, I have no doubt Your Worship, being so zealous an official of His Majesty and fully understanding this news and disposed to accord to me this favor, will seek to have this measure taken, without the least delay, for I am arranging to have the said expedition set out at the beginning of February of the coming year, which is the time when it can best be carried out.

May I suggest to Your Worship and beg that you may be pleased to write at the first opportunity to the Royal officials of *Nicaragua*, at the address of my nephew Don Bartolomé González Fitoria, instructing them to pay to me at once the salary which I have earned and shall in future earn, in fulfillment of the Royal *Cédula* which is filed in that Royal Collection Office, in which *Cédula* His Majesty directs such payments to be made to those who are governing in these Provinces; I ask this because I have no other recourse for my livelihood and for the satisfaction of my creditors.

I trust that Your Worship will favor me, your very humble servant, in all these things, and command me as may be your highest pleasure, with the assurance that you will be obeyed.

May Our Lord keep Your Worship many years with the health and prosperity which you merit and desire.

CARTAGO, October 19, 1709.

VERY ILLUSTRIOUS SEÑOR:

Your humblest servitor and countryman kisses the hand of Your Worship.

DON LORENZO ANTONIO DE GRANDA Y BALBÍN.

Doc. 148 Proclamation of the Governor of Costa Rica, Requiring the Submission of the Indians of Talamanca and of the Island of Tójar.

BORUCA, February 15, 1710.¹

In the Village of *Boruca*, on the fifteenth day of the month of February, one thousand seven hundred and ten:

Don Lorenzo Antonio de Granda y Balbín, Governor and Captain-General of this Province of *Costa Rica* for His Majesty, as well as the others under his jurisdiction: in compliance with the orders I have received from the superior Government of *Guatemala* to enter and punish the insurgent Indians in the mountains of *Talamanca* for having killed the Reverend Fathers Fray Pablo de Rebullida and Fray Antonio de Zamora, apostolical missionaries, and ten soldiers and a woman and a child, I therefore make known to the natives of the said village of *Boruca*, and to the *Téxabas*, and *Térrabas*, and to those of the Island of *Tójar*, that to those who shall come and yield obedience to the Governor and Captain-General of the King, our Master, I offer, in his Royal name, pardon for the offences they have committed, and those who shall not come I proclaim as rebellious traitors to their two Majesties, deserving of being burned alive, as they shall be in the war that I now declare against all who shall not come to yield obedience to the King, our Master, whom God guard many years as Christendom has need.

DON LORENZO ANTONIO DE GRANDA Y BALBÍN.

By order of His Honor, the Governor and Captain-General, I proclaimed the foregoing it in this village of *Boruca* at the sound of drum and trumpet.

NICOLÁS DE ESTRADA, Adjutant-General.

¹ Archives of the Indies. Secretaryship of New Spain. Secular. Audiencia of Guatemala. Papers relating to the conquest of the Talamanca Indians. Year 1713. Peralta, *Costa Rica y Colombia*, p. 120.

Don Lorenzo Antonio de Granda y Balbín, Governor of Costa Rica, to the President of the Audiencia of Guatemala, Concerning the Punishment of the Rebellion of Talamanca. Doc. 149

BORUCA, February 28, 1710.¹

SEÑOR DON THORIBIO DE COSSÍO, my dear Sir, President, Governor and Captain-General of these provinces,

VERY ILLUSTRIOUS SEÑOR:

It being my obligation, as God has been pleased to bring me to see the wrong I came by order of Your Worship to this village of *Boruca*, where I had proclaimed the notice annexed, in order that it might be known by the natives of the North that my purpose was not to do wrong to any one. Immediately upon making the proclamation the *Téxabas* Indians came in to yield their obedience thereto, and with them came four *Térraba* Indians of the North, who promised that their clans would come in and do the same and that all were disposed to give their lives in satisfaction for the death of their very well loved Padre Fray Pablo Rebullida; whereupon, by my order, they went with some men of this village and two Spaniards to open the road to *Viceita*, which is the largest village that there is in *Talamanca*..

I expect them back tomorrow or the next day; as soon as they arrive the one hundred and twenty men that I brought with me may pass through.

The Campmaster, Don Joseph de Casasola, went with eighty men to the district of *Chirripó*, under orders from me not to do any harm to any one who properly came in to yield obedience, and he had orders also to make proclamation in accordance therewith, since great care must be taken in handling these Indians, for, although punishment may be very just, still it seems to me best for the service of both Majesties to examine into the motive they had in revolting and to punish those who were guilty, making it a legal proceeding, so that the innocent may not suffer;

¹ Archives of the Indies. Shelf 65. Compartment 6. Bundle 28. Fernández, V, p. 472.

and because they, although barbarians, are not lacking in ability to distinguish between good and bad.

Now, Señor, it is necessary, since I came with so many hardships to these mountains, that I shall not go hence till the *Térraba* Indians of the North have been settled, and for this it is necessary that Your Worship be pleased to give me your favor and assistance, for the King, our Master and Lord, will be greatly served if Your Worship assists in the matter by giving orders to help the said Indians in their settlements with what is needful, sending to me powder and balls, and money to purchase cattle in *Chiriquí*; the cattle can be delivered here in seven days.

The settlement of this country with docile Indians content in the Catholic Faith, such as the *Térrabas*, will be of great importance to His Majesty.

Of the *Talamancas*, I hope with the help of God, not to leave any in the mountains, but remove them to *Costa Rica* to settle in the villages that have been left depopulated for many years in this region, in which His Majesty has a great interest.

What I beseech Your Worship for is an early response, because I cannot take any steps from this village without it. I report to Your Worship how I wrote to the President of *Panama* asking him to arrange that a French ship be sent on the North side to take the mouth of the Island of *Tójar*, so that I can bring about the surrender of the natives of that place and those of *Bocas del Toro*; if this can be done the service will be of greater interest to God and to the King, our Master, than any that has ever been done in the Indies, because there are three thousand *Zambos* (half-breeds—negro and Indian) in the Island of *Tójar*, and from the *Bocas del Toro* there are more than ten thousand Indians from the conquest of *Talamanca* and the *Mosquitos*, which number is constantly increasing and is very dangerous to these provinces, and in particular to that of *Segovia* and to *Matina*.

This is all that now comes to my mind to report to Your Worship, and I beg you will do me the favor of an early response. May God keep Your Worship, and my Lady your wife, the many years that I wish for you, and of which you have need.

Boruca, February 28, 1710.

Most illustrious Señor, I kiss the hand of Your Worship.
Your most obedient servant and countryman.

DON LORENZO ANTONIO DE GRANDA Y BALBÍN.

Fray Benito Garret, Bishop of Nicaragua, to the King. Doc. 450
Concerning the Extermination of the Mosquitos.

GRANADA, November 30, 1711.¹

SEÑOR:

I place myself in profound submission at the Royal feet of Your Majesty, stimulated by the fervency of my loyal affection, and praising the wise dispositions of Divine Power through whom innocence shall triumph and justice prevail over iniquity, I felicitate Your Majesty upon having for the third time been exalted by Divine authority upon your Catholic throne and permitted to see at your Royal feet the confusion and extermination of all malicious enemies. And as a proof of the great pleasure with which I am filled I remit, Señor, to Your Majesty, through the Royal collection offices of *Guatemala* two thousand pesos for the present urgencies, pledging anew, at the feet of Your Majesty, the faithful and affectionate sacrifice of my heart.

Knowing, Señor (even before departing from Spain), the barbarous cruelties of which the Mosquitos *Zambos* (half-breed—negro and Indian) were guilty in these provinces, as soon as I arrived at my church, zealous in the service of God, our Lord, and in that of Your Majesty, I made a proposition to this city of *Granada* for their punishment; this was adopted and on the 28th day of this month there set forth against the *Zambos* of *Puntagorda*, and the first hamlets of the *Mosquitos*, a *galeota* (a gal-liot or light vessel), with three pirogues, a cannon and eight swivel-guns, and with one hundred and twenty-five picked men, well armed, hoping in Divine justice that upon the first opportunity it will be able to give Your Majesty a happy day

¹ Archives of the Indies of Seville. Shelf 65. Compartment 6. Bundle 30. Peralta, *Costa Rica y Costa de Mosquitos*, p. 41.

with the news that vengeance has been had upon those savages for the horrible sacrileges which have been committed in the churches and, Señor, in the very holy of holies.

But as these kingdoms of Your Majesty are in great danger unless these cruel enemies are exterminated, and as the Royal Orders of Your Majesty issued for that purpose are not executed, in the annexed paper I lay before the Catholic eyes of Your Majesty a clear mirror of my loyal affection and zeal in your Royal service, and an easy and sure means, at little cost, for the complete punishment of these barbarians.

All my being, Señor, I offer to Your Majesty for this undertaking; and, by entrusting to me this expedition, the labors I performed and the sufferings that I gloriously endured in Catalonia for my constant fidelity in refusing to recognize any other Monarch, and which won for me the affectionate and Royal gratitude of Your Majesty, may be crowned with this new glory. Knowing me to be so devoted to Your Majesty, the natives adore me, and these, Señor, I am sure, will all leave their retreats if they see me embark.

Your Majesty will resolve the matter as shall be best for your service, and I remain praying God, our Lord, to guard the Catholic Person of Your Majesty of which the whole church had need.

Granada of Nicaragua, November 30, 1711.

SEÑOR:

B. L. R. P. (Kissing the Royal feet) of Your Majesty, your most faithful vassal and least worthy Chaplain.

F. BENITO, Bishop of Nicaragua.

Report of Don Fray Benito Garret y Arlovi, Bishop of Nicaragua, concerning the Mosquitos and the Way to Subdue Them. Doc. 151

GRANADA DE NICARAGUA, November 30, 1711.¹

SEÑOR :

I the Teacher, Don Fray Benito Garret y Arlovi, Bishop of Nicaragua, placing myself at the Royal feet of Your Majesty, state:

Being informed of the lamentable ravages and seizures by the *Zambos* who occupy the place called *Puntagorda* and the said territory of *Mosquitos* (the sea-coast from the mouth of the river of *San Juan* as far as the city of *Trujillo* in the province of *Honduras*), who have at various times made incursions into these provinces, committing the most horrible sacrileges and the most barbarous cruelties (which in a separate paper at the end of this report I bring to Your Majesty's attention, knowing that this city of *Granada* had begun the construction of a *galeota* in order to attack them, which was not finished because permission was refused), and being stimulated by zeal for the glory of God and by the very personal and loyal affection which I profess for Your Majesty, I made such efforts as I could among its inhabitants for the purpose of carrying out an undertaking so greatly to the service of God, our Lord, and of Your Majesty, and so advantageous for the common welfare, and with this encouragement they agreed with me to undertake it, each one offering what he could and would:—the Governor, Don Sebastián de Arancibia y Lasi, offered to furnish the sails and rigging for the *galeota* and two sailing canoes, and I will give fifteen hundred pesos myself personally, and five hundred more from my ecclesiastical office. With this combined I repaired to the President, Governor and Captain-General in these kingdoms of *Guatemala*, and, it being understood that I was not asking for a *peso* from the royal treasury, but on the contrary offering to reimburse what the Royal official had expended upon the *galeota*, I besought permission to set out and exterminate the barbarians of

¹ Ubi supra.

Puntagorda, and all other enemies of Your Majesty, and requested the *Cabildo* of this city be given the necessary orders to prepare and dispose of the said expedition.

The license, although refused the year before, was granted, for since it involved no expense to the Royal Treasury, the President in his fervent zeal could find no obstacle thereto in the objections made by certain persons who preferred, in the interest of their commerce, that the route from this lake to *Puerto-belo* should be infested by pirates and cruel barbarians; and so, having his permission (which paper I forward to Your Majesty), the *galeota* was finished, and with this and two canoes (and one more added) with one hundred and twenty-five armed men, one cannon, eight swivel guns, and the necessary supplies, they set forth from this port for the fort on the *River San Juan*, on the twenty-eighth day of this present month of November, their plan being to attack the *Zambos* of *Puntagorda* by the middle of the coming month, and, providing that none should escape by sea to warn the *Mosquitos* (it being difficult by land on account of the long distance and the swamp), to attack the first three hamlets and impair their forces, so that when the arms of Your Majesty return their barbarous crimes may be punished.

There go with the men three soldiers who, having been captives there, are well experienced in that country. I have had in my house and at my table for five months Captain Juan Bautista La Roque, a native of Bordeaux, who with great valor fought with three English corsairs and, when beaten, lost his sloop which he left stranded before *Trujillo*. He, with fifteen of his French soldiers, whom he caused to come from *Comayagua* (and whom both sick and well I have helped according to my poor ability), have been embarked in the said *galeota* and three canoes, and counting on their bravery I expect a complete victory.

But this work will be entirely lost unless the *Mosquitos* are proceeded against with a stronger force next year, for encouraged by the English who frequent the locality and by the bad subjects of Your Majesty who trade with them, it will be easy for them to return and settle at *Puntagorda* at their convenience; therefore I considered necessary an armament of two *galeotas* more, six launches or long boats and six canoes (which vessels will accommodate a thousand armed men who can go ashore with

their officers), four pieces of cannon which can be used in the *galeotas* and in the field, fifty swivel guns and the necessary equipment, with twelve hundred muskets and their bayonets, but no matchlocks because in that country it rains a great deal. This armament is enough for all the savages of the *Mosquitos* territory, because I am well informed that they can muster no more than a thousand fighting men. The measures which I plan for the easy attainment of this object are the following:

These barbarians are the declared enemies of the law of God and detestable in his Divine sight because of the atrocities they commit, reviling as they do, the honor of even the noblest women of this country, and because of the lives of the innocent children which they daily destroy, and because of the altars they have always profaned—even the very sacrament of Our Lord (the dearest object of the Catholic sentiment of Your Majesty) not being safe from their iniquitous hands; indeed, in years past they threw it down upon the ground in the Province of *Honduras* and the lands of *Segovia*, using the altar cups for toasts and for drinking vessels in their demonical fury. The bishops and all ecclesiastics ought therefore to oppose themselves to these insolent barbarians, converting their staffs into swords and gold and silver into money.

Therefore, when I can publicly proclaim the triumph of God over those in *Puntagorda*, it is my purpose to write to the Archbishop, to the bishop and ecclesiastical councils of this archbishopric of *Mexico*, showing them the need of driving out such a barbarous people, and that extermination will be for the glory of God. I will tell them of the cries that come from those Catholic souls and captives, plunged against their will into the debauchery of most wicked infamy and tempted by sensual incitements to become miserable apostates, and of the great anguish and trouble of Your Majesty endures in defending yourself from the heretics, with your Royal financial bureaus exhausted, in order that those prelates may understand all these Christian urgencies and rally to the defense of the Holy Gospel, for each one should be thankful that Your Majesty shares with him the bread that Your Majesty has given to him, and pay it back to Your Majesty by devoting to the redemption of those afflicted captives a portion of the revenue which they may have designed

for the poor: and I will notify them that I have laid this Christian proposition before Your Majesty, not doubting that Your Majesty, with your Catholic zeal and the urgent need of the times, will write and ask the same of each one; and so I beg Your Majesty that if it be your Royal pleasure, Your Majesty may be pleased to write to the said archbishop, the bishop and the ecclesiastical councils, with directions to pass along the funds from one bishopric to another until it reaches my hands, and that they shall inform Your Majesty of the amounts; and I will give Your Majesty an exact account of the expenses and of the additional two thousand pesos which will be contributed by my ecclesiastics to this business; and I hope, considering that I am one of the poorest bishops of this archbishopric, that they will leave me very far behind with their pleasing generosity.

Within my jurisdiction the building of vessels is cheaper and easier than in any other part of America, because the timber is close to the water and the only cost is for cutting; and being advised by some experienced persons, I state to Your Majesty that a ship with a keel length of sixteen *varas* (a Spanish yard), and four *varas* beam, decked over and with eighteen oars, will cost when ready to sail away, a matter of a thousand pesos, or very close to it; and the two *galeotas* with a keel length of twenty-five *varas* and corresponding beam, with forty oars for each one of them, will cost for the two about five thousand pesos. The two *galeotas* and six long ships will cost eleven thousand pesos, and another thousand pesos will be expended for six or eight canoes, for quick disembarkation. All of the masters agree that if these said vessels, after the extermination of the *Mosquitos*, should be sold in *Puertobelo* and *Cartagena*, there would be gained a profit of a hundred percent, because, with even more difference, such constructions are more expensive there. I am planning that even if the expense should be incurred, the Royal funds of Your Majesty would be reimbursed after the said expedition was ended and be left better off by the two galleys for the transportation of supplies to the fort on the River *San Juan*, and this would save the building of the ship, the expenses of which to Your Majesty would be twenty-four thousand pesos, according to the statement that was shown to me by the Royal official in his book of accounts.

In order to arrange for the victualing of twelve hundred men for six months, I think fifteen thousand pesos will be necessary and sufficient, because the amount of salt meat at a ration of one pound daily, at a rate of five *reales* per *arroba* (a weight of twenty-five pounds), amounts to 5,400 pesos; for the biscuits of maize at four *reales* per *arroba*, 4,320 pesos; for cheese and vegetables, 1,100 pesos; for brandy 1,500 pesos (a necessary precaution on account of the heavy rains), and 2,600 pesos for other requirements and medicines for the wounded and sick. So Your Majesty will see that for the vessels and maintenance of the men alone there will be needed 27,000 pesos, the amount of which is small considering the much larger sums which Your Majesty has expended from the Royal finances in troubles of less magnitude. The powder that I deem necessary will be about 10,000 pounds and some 100 *quintals* (a weight of about a hundred pounds) in balls, which can be had from *Guatemala*; the cannon balls, as but few will be needed, may be taken from the fort.

For this present expedition there has been expended 1,220 pesos for services rendered, at the rate of ten pesos to each one of the hundred and twenty-five men. This was made necessary because the Governor of this province only offered his help, in the belief that the scheme as planned would be impossible of execution, and to avoid furnishing what he had offered he has been a declared enemy of this expedition, declaring that this was not the service of Your Majesty but of the promoters, and so he was not willing that any but volunteer soldiers should go. For this reason it was necessary to offer to pay them ten pesos and for me to induce them by granting to those who embarked freedom from my ecclesiastical duties. The Sergeant-Major, Don José Antonio Lacayo de Briones and the treasurer of Your Majesty, Don Ambrosio Betancourt, are those who have given the most help in this city and to me. The other military heads have shut the doors upon themselves in their positions and are unwilling to come out of their retirement; and so I warn Your Majesty that it will also be necessary to give the same advance of ten pesos to the 1,200 men, which amount can be made up afterwards out of the captures that may be made.

It is very desirable, Señor, that Your Majesty, by the first news

ship that goes to Cartagena, should direct the 1,200 muskets, bayonets and fifty swivel-guns to be transported from Spain to *Puertobelo*, and from thence, by the coastguard boats, to the fort on the *River San Juan*, addressed to its commander, so that they may be delivered to us, and that the expenses should run for account of Your Majesty, unless Your Majesty may command the Viceroy of *New Spain* to carry out this Royal Order, sending them first to *Guatemala* so that from there they may be brought to this province. In all these kingdoms of *Guatemala*, Señor, I do not believe that there are a thousand flint-lock muskets; the greater part of them are matchlocks. The artillery must be taken from the fort on the *River San Juan*, but no risk will be run, as there will be left a reserve armament, there being a surplus of cannon for its defense.

Although the Royal Order of Your Majesty should be carried out, by which the Viceroy of Your Majesty in *New Spain* is to send the Windward fleet, it is certain that without having *galeotas* and long boats and canoes it will not be possible to achieve success, because in order to reach the lands of the *Mosquitos* it is necessary to penetrate into estuaries and lagoons and pass through some rapids, and this it will not be practicable for ships to undertake without providing many landing boats. By the map of the coast from *Puertobelo* to *Trujillo*, which I send to Your Majesty, Your Majesty will be informed about this matter, as well as the facility with the *Mosquitos* find their way by the rivers into the lake, from whence they have attacked and terrified the whole of this country; and the difference in cost which Your Majesty would incur by sending the Windward fleet for this expedition and that which the armament described would amount to if made up here, is very apparent; this Your Majesty can direct the Council to consider.

For the principal head of this enterprise, unless Your Majesty shall send some one from Spain (which will be very expensive), or Your Majesty shall command the Duke of Linares, Viceroy of *New Spain*, to send one of the expert officers that I know he has in his company to come and take charge of this expedition, I do not know whom to suggest to Your Majesty, for there is an overabundance of leaders out here; indeed there is an adage here which says: "*Unfortunate the mother who has not a son who is a*

Captain in the Indies," on account of the ease with which they all reach that station. They are the spearmen and troopers who have risen in rank independently of the Governors; the most experienced officers are inexperienced, for they have not seen the enemy and generally come to take command after having been engaged in shopkeeping.

But in any case, Señor, I say that I as a Catalan and born with obligations which I must maintain, they know that I am not afraid of the humming of musket balls. At the age of twenty-five I was selected by His Majesty Carlos II (may he rest in glory) as Abbot of the Monastery of Belpuche de las Avellanas, in Catalonia, under the charge of which rest the administration of five quarrelsome villages; and in addition to the reports which Your Majesty can take from the archives of the Supreme Council of Aragón, I can allege in my own behalf an honorable and capable discharge of my duty, for His Majesty conferred upon me the same honor for three terms; and during the uprisings in Catalonia it was needful to show some courage (with which I was inspired by the affection I profess for Your Majesty) in order to engage the Abbot of my house who with his armed vassals attacked me with intrepidity.

Whereas some bishops, forgetful of their natural and Christian obligations, have left the Catholic party of Your Majesty and joined the heretics; it is but right, Señor, that for the defense of our Catholic religion and the service of Your Majesty, that other bishops should go forth, converting their staffs into swords and, personally opposing themselves to such hellish pride, become commanders of your faithful soldiers. There could not be a more holy undertaking; if the territory of *Mosquitos* was marked out it would cover the greater part of my bishopric and its extremity that of *Honduras*, and because, without leaving my jurisdiction mine eyes may enjoy the fruits of this hoped for expedition, I ask, Señor, with much reason from the piety of Your Majesty, that Your Majesty may grant to me the permission, for I am a shepherd who in justice ought to go in search of those lost lambs and at the cost of the sweat of my brows, bring them back into the flock of the faithful. And, Señor, the essential point of this matter is not that I should go as the commander; I will go with the greatest pleasure as the most humble follower.

Since the donations which are collected by the bishops and *cabildos* must be greatly delayed in their collection and because it will be very desirable that this future expedition should be made in the month of May in any year, I suggest in this matter to Your Majesty the great necessity that Your Majesty command the President and Captain-General of *Guatemala* to deliver for this purpose from the Royal treasury the 12,000 pesos for the construction of the vessels, the 15,000 for the provision of supplies and the 12,000 for the payment of the soldiers, care being taken also to forward the amount of powder and balls as stated. And as to this I ought to inform Your Majesty that if said amounts are delivered as is customary, giving to a purveyor the handling and disbursement of them, this is what will happen: Such an one will receive in the financial offices in *Guatemala* the money which is delivered; he will convert it into articles of merchandise needed in this country and with them he will pay the officers and soldiers and make a profit of a hundred percent, and in this way the construction will be delayed and will be dissatisfied, it being very sure that the amount which I estimate as sufficient for the construction of the vessels and for the supplies, as expended by my hands, will be doubled for Your Majesty if it passes through those of purveyors. Therefore, if Your Majesty directs that the said amounts together with what Your Majesty may direct to be paid to the soldiers, shall be delivered to me, I will disburse it with the assistance of my Chapter and of the *Alcaldes* of this city of *Granada*, and I shall have the satisfaction that for this purpose I spend and will spend whatever excess there may be, being able afterwards to reimburse the Royal financial offices for the said amounts out of the proceeds of said donations. Your Majesty will determine as you shall be pleased.

The time that will be occupied in finishing the expedition mentioned I estimate at about six months; one month to go from this port to the *Mosquitos* territories, one more in subduing them and the remaining time in securing their entire extermination, because after defeating them it will be necessary to establish a *plaza de armas* (guard station) in the best situation, and with various squads hunt them out in the mountains; for if there is anything left of those barbarians, while there will be a present

relief, later on these territories will again suffer the same atrocities.

The good results which the Royal Crown of Your Majesty will derive from this idea of destroying them (beside what is the principal object of the Catholic zeal of Your Majesty; that is leaving the teaching of Divine things unhindered and securing the solace of souls who now groan in their horrible captivity) are the following:

The first is the assurance of preserving for Your Majesty the fort on the *River San Juan*, for in the present condition of affairs I look upon its conservation so far as a great marvel. In Spain, Señor, I wept with great satisfaction when I saw how God blinded the enemies of Your Majesty by not allowing them to gather the results of the apparent triumphs, whereby they were permitted to prove the constancy and Royal justice of Your Majesty and you were enabled to separate the tares of the wicked from the seasoned wheat of the faithful; and now I am comforted by this same satisfaction, seeing how among so many dangers that fortress has been kept for Your Majesty.

This said fort, Señor, is located where it cannot be reached by the vessel which goes from this city every two months to furnish it with supplies, because before getting to it there are two rapids with two or three *cuartas* (a measure of eight inches) of water which it cannot pass, so that from the beginning the provisions have been carried in canoes. And as the *Mosquitos*, if they wish to do so, may enter into the lake by the rivers of *Chontales*, it will be easy for them to cut off said passage, seize the canoes and supplies, take possession of the ship (vessel with the supplies), and, if no help arrives, to make themselves masters of the fort, where, on account of the heat and humidity, provisions cannot be kept very long. For such an operation naturally a hundred men would be more than enough, and once the fort has been captured the enemies of Your Majesty can easily enter into the South Sea, because from this lake to the shores of the latter there are only four leagues of land, and everywhere there is an abundance of timber for the building of boats. My trust in God is that they do not take advantage of these opportunities, for I clearly understand that they are kept in darkness for their own destruction;

yet these dangers are such that Your Majesty should give them the Royal consideration.

The second benefit that such future expedition will produce for Your Majesty, is that when the *Mosquitos* shall have been exterminated the thousand men, on their way back, can in one or two weeks time, clear out the three rapids in the *River San Juan*, from the lake to the North Sea, the depths of which are not more than two or three *cuartas* of water. This is important, because by reason of the lack of a sufficient depth of water the ship (the vessel with the supplies) has never been able to get to the fort, which, as I have said, is thereby greatly endangered; even the flat boats that go from this lake to *Puertobelo* are compelled to unload three times in the said passages. These difficulties have destroyed the commerce of these provinces, but I do not suggest any expense for this operation, because it can be provided for with what is left of the provisions from the expedition.

The third and last advantage which I suggest will result to Your Majesty from the said expedition, is that when the *Mosquitos*, the infamous robber allies of the English, are destroyed, and those three rapids cleared out, the Royal finances of Your Majesty will be greatly bettered, because commerce will again start up and the Royal duties in the collection offices of *Granada* and *Puertobelo* must reach higher figures. For these provinces of *Nicaragua*, *Nicoya* and *Costa Rica* abound in the most valuable products of America, so valuable that they cannot be estimated because there is no one to gather them. Before the *Mosquitos* made themselves known there were in this lake eighteen vessels of private parties; now there is only the one, which belongs to Your Majesty and is used to supply the fort. The lack of such vessels is a great loss to the Royal revenues, and note must also be taken of the increase of excise taxes which would augment your Royal income. Even supposing that this proposed expedition should be made entirely at the expense of the Royal finances of Your Majesty, I believe that in ten years all the cost therefore would be reimbursed.

These, Señor, are the reasons and the results which I lay before Your Majesty as a Catholic Monarch whose courageous heart, pierced by the zeal of God, sorrows more over the Divine wrongs and the spiritual offenses than the assaults of unjust persecutions.

The time at which I write this proposition is a holy opportunity for the success of my hopes. I have just received the Royal *Cédula* of Your Majesty in which I am commanded that upon the Sabbath nearest to the day of the Conception of the Most Holy Mary there shall be celebrated at all the churches the solemn ceremony of the sacrament of God, at which the sacrament can be elevated before all eyes so that, with tears of devotion, we may protest that we will have no agreement with those barbarous children of Belial, and we can confess aloud that in our loyalty and affection we are true sons and constant vassals of Your Majesty, promising at the holy communion table the sacrifice of our lives in order to bring about the final confusion of the perfidious heretics.

The same God it is, Señor, who is being outraged in *Segovia* and *Honduras* by the *Mosquitos*, and whom the heretics trampled under foot in Toledo, Leganés, Rozas, Perales and other parts of Castile; and just as in the village of Molar there was a pious priest who sacrificed his life to make amends for that outrageous wrong, so here, some years ago, a village of *Segovia* produced a lay Spaniard, called Juan López de Otero, who, although bound with fetters in the church, when he saw the holy things cast down upon the ground, broke his bonds like another Samson and, gloriously throwing away his life, severely punished and wholly confounded those infamous Philistines.

One and the same Gospel and one and the same Catholic Monarch rule in Europe and in America, and I look upon the zeal of Your Majesty as a sea so wide that the abounding Christianity of your influence may reach even to this New World. And in order that Your Majesty may see that everywhere Hell has stationed its wicked ministers through whom it opposes the Royal rights of Your Majesty to prevent your most notable advancement of the law of God, I state to Your Majesty that, being fearful lest some iniquity might wrest from us the fruits of this expedition, I caused the *galeota* and the canoes to be inspected, and found that they were leaking badly; in the *galeota* an augur hole had been bored into which a thumb could be thrust, and two holes had been bored in the large canoe and three in another small one, as to all of which I send Your Majesty a statement duly certified and sworn to.

May Your Majesty determine as shall be deemed best therefor. And I remain praying God, our Lord, to keep for many years the Royal Person of Your Majesty, of whom all Christendom has need.

Granada of Nicaragua, November 30, 1711.

FRAY BENITO,
Bishop of Nicaragua.

SEÑOR.

The Teacher, Don Fray Benito Garret y Arlovi, Bishop of *Nicaragua*, places himself at the Royal feet of Your Majesty, and states:

In order to more fully inform Your Majesty in regard to the origin of the *Zambos*, called "*Mosquitos*," the number thereof, the width and length of their lands and the wickedness of their cruel barbarism, I have sought to inform myself through the natives of these provinces who are considered by common report and trustworthy reputation to be truthful men, and they entirely agree with the universal reports of which all are cognizant, and they have furnished me with the facts stated in the following account:

In the year 1641 a ship loaded with negroes was wrecked upon the coast of the North Sea, in the part of the mouth of the *River San Juan*, Province of *Nicaragua*, toward the city of *Trujillo*, Province of *Honduras*, the length of which must be about sixty leagues. A third of the negroes were caught but the rest ran away and hid in the thickets of the mountains. The mountains were occupied by *Carib* Indians who, distrustful and suspicious of these new arrivals, made war on them, so that for some years they got along very badly. After a time, however, the negroes defeated the *Caribs* and the latter retired into the mountain region, toward the territories of *Segoria* and *Chontales*, where, according to the accounts which have been given to me by the curates who were in communication with them for the purpose of their subjection, they kept up a bitter hostility toward the *Zambos*, and, though few in number, the *Caribs* sometimes make a foray into their lost territories when the *Mosquitos* are absent on their thieving expeditions. With the women of those of the conquered Indians the victors increased their numbers, and, as the first

arrivals are now dead, their descendants are called at the present time "*Zambos*," being children of negroes and Indians. This same account is given by a negro called Juan Ramón, who lives now in this city, and whose advanced age accords well with the recollection which he asserts that he has of the facts he narrates.

The territory they occupy has a length of forty-eight or fifty leagues, because their first settlement is at the place called *Puntagorda*, twelve leagues from the *River San Juan* toward the North, and the last ones are on what is called the *Mosquitos lagoon* almost in front of *Trujillo*. The width of their territories is not exactly known, nor is it everywhere the same. From *Puntagorda* a mulatto arrived at *Chontales* in thirteen days; another, who was a captive, at one of the three villages on the lagoon called *Panamacá*, asserts that that country is in front of the territories of *Segovia* at a distance of twelve leagues by air line.

Other settlements which are known up to the present time are, first, that of *Puntagorda*, divided into three hamlets, a musket-shot distance one from the other. Those who have been captives there say that in all three there are about forty fighting men, many women and children and two or three Englishmen as leaders of them, and the poor Christian captives who suffer devilish treatment by day they keep at night with their arms bound behind them and a rope about their necks hanging from a tree, resting their bodies only upon their feet.

Around the circuit of the large lagoon, within pistol shot, they have three hamlets; one is called *San Cristóbal* by the captives who have escaped, another *Panamacá*, and the name of the third I do not know. In another of them lives the Governor called *Piquirín*. Fourteen leagues further in they have the big hamlet (but I have not found anyone who has seen it), where the petty king lives whom they call *Guitunc*. The three hamlets must have about eighty fighting men altogether; the principal one has a greater number, and it is generally asserted that, taking all their settlements together, there are about nine hundred to a thousand men capable of bearing arms, and that among these there will be about five hundred bold and courageous freebooters. The whole number of souls, with those stated, including the many women they have and their children, will be about five or six thousand, the escaped captives varying a little in this estimate.

In all of their hamlets there live some English, who have intermarried with them, as factors for the trade with their countrymen, and in the principal hamlet there is one who rules them under the name of Queen Anne, to whom they are vassals. The English provide them with muskets, powder and balls, receiving pay therefor in the turtle-shell which they catch and in the Indians they make captive, taking out the *ladinos* (Indians who speak Spanish) and sending the rest to *Jamaica* to be held as slaves like the negros.

The bravery and audacity with which they fight is great; some use poisoned arrows, but the greater number have condemned muskets and rude balls. They go naked, and navigate in canoes, penetrating into the mountain regions and making Indian boats and fishing canoes, and, in these, following the rivers, they threaten, like unexpected thunderbolts, sometimes *Olancho*, *Trujillo* and the territories of *Segovia*, at other times the territories of *Chontales*, sometimes in the Valley of *Matina*, Province of *Costa Rica*, and sometimes by many and various rivers they reach and sail upon the lake.

In the month of June last, they attacked the boat belonging to Your Majesty's ship, the side of which one of the savages pierced with a lance, or fire-hardened shaft, thrown from a considerable distance, and it entered so far that everybody in this city, having seen it, can testify what a powerful blow it was. In the Valley of *Matina* during the past year one of those savages pierced the body of a Spaniard with a musket-ball and the arm of the Sergeant Major, Don Antonio de Varaona, who told me of this occurrence in the city of *Cartago*. They let it be understood that they fight with desperation from the fierceness of their pride.

The cruelties practiced by them cannot all be known; each territory and each province knows and sorrows over its own. It is current and public report that during the past year in the Province of *Honduras* they committed the most horrible sacrileges, stripping the altars and the images, casting the holy objects upon the ground and drinking their beverages from the altar cups.

In the territories of *Segovia* and *Chontales* they repeated these same atrocities. In the latter province there is celebrated the name of a Spaniard called Juan López de Otero, who, being with others in the church with his hands tied behind his back, and

seeing some of the barbarians throwing down and trampling upon the holy objects, he loosened his cords as much as he was able and extricating one of his arms, blind with the zeal of God, he badly wounded six of those sacrilegious wretches, gloriously giving up his life as a holy revenge for that outrage.

On various occasions they have repeated their forays into the territories of *Segovia* and *Chontales* and from the farms they have carried away entire families; they captured four noble women, and it is not known whether they are living or dead; they treat the women well everywhere, because they select them for their wives, each barbarian having many. Upon the males they vent their ferocity without limit; sometimes they kill them, others they keep for months and years in a painful captivity until they die, and others, out of a singular compassion, they permit to go free. During the past year of 1710 they seized, among others, on a plantation in *Chontales*, a pregnant woman; the hour of her delivery came upon her in the mountain region and there was born to that miserable one a male child, and because it was such and not a female, the dying mother saw it mangled by the foot of a savage placed upon its tender neck, though even the wildest beast would have saved such an innocent life with her own milk, and given it a better chance than that brutal man.

It is not possible, Señor, to refer to all the cruelties and atrocities which have been committed here, because seventy years they have infested these countries, and there are so many it is not easy to enumerate their horrible acts. One noble woman who was fortunate enough to escape laments to this very day in seclusion the tragedy of her dishonor. It is about three months ago that there went out from a village of *Comayagua* three elderly women, who were captured when girls by those barbarians; and knowing the evil life that they had with such unbridled wickedness, they prayed regularly to the Most Holy Mary not to permit them to die without again reaching Christian lands to confess themselves, which favor was granted by the Mother of Mercy; a Padre curate confessed them and in a few days they passed to receive the reward of their hardships. The case is well known in all the territory, although on account of the distance I have not been able to learn the place and name of the curate.

Since the 25th of March of this year, the day I arrived at my

church, these barbarians have twice entered into the territories of *Chontales*, and once into the Valley of *Matina*, in the month of May, while I was in *Cartago* in the Province of *Costa Rica*; and such was their vanity and so infernal their pride that they voluntarily liberated a mulatto in order that he might come to tell the people of this city of *Granada* that in the month of May or June following they were going to make it a visit.

On account of this present fear I have excited more interest in the preparation of the *galeota*, because when those in *Puntagorda* are attacked and exterminated, as I expect, they will see they no longer can come and devastate these territories when our justice reaches out for their extermination. It is very certain, Señor, that while among our proverbs there is one which says that one mosquito is a bad enemy, we may be sure that many mosquitos will be enough to disturb a general and profound repose; for they are not upon an island like *Jamaica*, but upon the mainland close to us and holding the provinces which are the keys of these kingdoms, and the dreadful multiplicity of their wives ought to awaken reasons of state in predicting the gravest dangers from their future numbers. And the heretics who protect them will contrive for their perfidy, and with their means, whatever steps are possible to diminish the Catholic influence of Your Majesty.

May God, our Lord, keep for us the Royal Person of Your Majesty against the cruel scourage of heresy and preserve to us for many years the life of Your Majesty for the welfare of the whole church.

Granada de Nicaragua, November thirtieth, 1711.

FRAY BENITO,
Bishop of Nicaragua.

Missions and Conquest of Talamanca. Royal Cédulas issued to the Captain-General of Guatemala and to the Governor of Costa Rica, Approving their Conduct and Ordering Measures for the Subjection of Talamanca and for the Missions of Boruca. Doc. 152

MADRID, September 1, 1713.¹

THE KING.

Don Thoribio de Cosío, knight of the order of Calatrava, my Governor and Captain-General of the Provinces of *Guatemala* and President of my Royal Audiencia which sits in the city of *Santiago* of those provinces:

Annexed to your letter of January 8 of the past year of 1711, you have sent to me testimony concerning the condition of the Indians of *Talamanca*, in the province of *Costa Rica*, relating to the beginning of the year 1709, and showing that more than a thousand of the ten thousand Indians comprised within said territory and the territories of the *Térrebes* and *Chánguenes* have been converted; but that toward the month of September and in October of said year the converted Indians and their principal *Cacique* took up arms and killed Fray Pablo Rebullida and Fray Antonio de Zamora, of the Order of St. Francis, their missionaries as well as ten soldiers of their escort, a woman and one child; that they burned fourteen churches in which they had profaned the sacred vessels and ornaments; that the Governor of *Costa Rica*, Don Lorenzo Antonio de Granda y Balbín, having been informed of this occurrence, and fearing that the trouble and the losses might be increased in this insurrection came to the knowledge of the half-breed negroes of the island of *Mosquitos*, and thereby lead to a rising of the unsubdued Indians of *Talamanca*, he went with some troops to the Province of *Boruca*, a short distance from that place to give prompt aid to his lieutenant whom he had sent at the head of two hundred men into the same *Talamanca*; that here he succeeded in routing the rebels and making prisoners of more than five hundred of them, with a *Cacique*

¹ General Archives of the Indies. Audiencia of Guatemala. Official Registers. Royal Orders directed to the authorities of the district. Years 1708 to 1735. Peralta, *Jur. Ter.*, p. 335.

who had been the moving spirit in the revolt and whom he condemned to death and caused to be executed; that on this subject you have on your part taken the needful measures to be prepared for possible events and to insure the security of the Indian prisoners who were distributed among the inhabitants of the Province of *Costa Rica*, until they could be again gathered into a village, because these Missions of *Talamanca* are not now in a condition to be reorganized; wherefore you suggest encouraging the missions of the Province of *Boruca* and placing therein the conquered Indians, and you consider that it is a place that can be defended, since it is in a better situation and more extended than the Province of *Panama*, and that from that province the passage of the half-breed negroes from the island of *Mosquitos* may be prevented by taking to the Province of *Boruca* a number of Spaniards who would exercise a subsidiary dominion over the natives and would defend the territory.

And the matter having been considered in my Council, and my attorney general having been consulted on this subject, I have determined to inform you that your operations, and the care and zeal which you have shown in this important affair, deserve the Royal gratitude, and therefore, by letter of this date, I give Don Lorenzo Antonio de Granda y Balbín to understand that the care and vigilance which he has shown for the good outcome of this enterprise have been noted, and that I direct him also to thank all the vassals who have taken part in the defense of the country and the punishment of the rebels, particularly the Lieutenant he sent at the head of the soldiers for the skilful way in which he carried out his orders; but in case the said Lorenzo shall not be in your provinces when you shall receive this despatch and shall have gone to his government of *Costa Rica*, I charge you to fulfill this duty as regards the said Lieutenant and the other persons and not to lose sight of their advancement;

And as concerns the development of the Missions of *Boruca*, I order and direct you to convoke a Council of Ministers and persons who know those territories, at which shall be present the superior, or the superiors, of those Missions, and to hold a discussion with special concern as to whether it is most advantageous to re-establish the Missions of *Talamanca*, or to assist those of *Boruca* by putting them in a state of complete defense, and try-

ing to entirely prevent the negro half-breeds from having any communication with those who inhabit the territory situated between *Costa Rica* and *Panama*; and you shall determine by a majority of votes what shall be deemed most favorable to this end, and put your decision into execution as quickly as possible; and you will lose no time in its execution and in reporting to me at the first opportunity by a certified report of what has been decided, so that I may be informed of what I expect from your devotion and your zeal for my service, and you will apply yourself to obtain the best possible success in this enterprise, by which I will consider myself well served.

Done at Madrid, September first, 1713.

I, THE KING.

By order of the King, our Master:

D. BERNARDO INIAGUERO DE LA ESCALERA.

MADRID, September 1, 1713.

Doc. 153

THE KING:

Don Lorenzo Antonio de Granda y Balbín, Governor and Captain-General of the Province of *Costa Rica* in that of *Guatemala*.

By letter of my President of that Audiencia, Don Thoribio Cosío, dated January 2, 1711, to which were annexed other documents, information has been received concerning the revolt of the converted Indians of *Talamanca*, who killed two friars of their Missions, ten soldiers, one woman and a child, burned their churches and profaned the sacred vessels and ornaments; it is also learned that, immediately upon the happening of this lamentable event you hastened to prevent the half-breed negroes of the Island of *Mosquitos* from helping the rebels, and to punish the latter, which you succeeded in doing, thanks to the skilfull arrangements which you made in going with soldiers to the Province of *Boruca* and sending your Lieutenant, at the head of two hundred men to the region of *Talamanca* and to its mountains; and that the result of this was the dispersal of the rebel Indians and the capture of five hundred of them with their *Cacique*, who was the prime mover in the conspiracy and who was condemned to death and at once executed—a worthy punishment for his execrable crime;

And consideration having been taken by my Council of the

Indies, and the opinion of my Attorney General obtained, as to the best measures to take to prevent repetition of such an occurrence, I give, by letter of this date to my President of the Audiencia of *Guatemala* the necessary orders in the case.

I have resolved, as regards yourself, to thank you (as I do) for the promptitude, the care, the attention and the zeal with which you have been watchful (a very important matter) to prevent the dangers which might result to that province and that of *Nicaragua*, if the *Zambos* of the island of *Mosquitos* aided the unsubdued Indians of *Talamanca*, and for the operations which were made for the punishment of the latter. I will not lose sight of this merit in rewarding you; and because all those who do their duty in my service are deserving of my gratitude I order you and command to be declared in my name, especially to the Lieutenant whom you sent to the war aforesaid, that he is deserving of recognition from my sovereign highness for his skilful conduct, and you will also thank all the soldiers and the loyal vassals who took part in the punishment of the rebels and in the due defense of that province, assuring them that I have confidence that upon any other occasions which may be presented you and they will do what is needful for my service and for that you will be treated by me with magnanimity.

Done at Madrid, September 1, 1713.

I, THE KING.

By order of the King, our Master,

DON BERNADO INIAGUERO DE LA ESCALERA.

Doc. 154 **Royal Cédula to the President of the Audiencia of Guatemala Concerning the Conquest of the Mosquitos.**

MADRID, April 30, 1714.¹

THE KING.

My Governor and Captain-General of the Provinces of *Guatemala* and President of my Royal Audiencia which sits in the city of *Santiago* in those provinces:

With the letter of December 21st of the year 1710 you in-

¹ Archives of the Indies of Seville. Shelf 65. Compartment 6. Bundle 30. Peralta, *Costa Rica y Costa de Mosquitos*, p. 63.

cluded thirteen documents which referred to the settlements of the *Carib* Indians, *Negros* and *Zambos* who are in the region called the island of *Mosquitos*, between the North and South Seas, on the side of the Province of *Nicaragua*, which had their origin in the year 1641, when that territory was settled by the arrival of a vessel loaded with negroes at the entrance of the *River San Juan*. That region is protected by some rivers and lagoons which intervene between the entrance and exit, and there are on the coast of the North Sea more than fifty or sixty leagues over which their settlements are known to extend, beginning at a distance of twelve leagues from the *River San Juan* in the jurisdiction of *Nicaragua*, where they have settlements and camps, up to twenty leagues from the city of *Trujillo*.

They are very skilfull in the use of arms and are assisted and protected by the English of *Jamaica*, with whom they trade turtle shell for the different things which these Indians require for their livelihood, and for arms for use in hostilities which since their settlement they have carried on in the Provinces of *Honduras* and *Nicaragua*, invading them continually, capturing in them a great many Christian Indians whom they sell as slaves to the English, taking possession of their wives and of the other Christian Indian women, with whom they increase their people, and executing on those that they find pregnant the horror of destroying the innocent babe if it is a male. They have made many ravages, particularly in the year 1699, when they surprised the village of *Nuestra Señora de los Dolores* and carried away its missionaries, committing sacrilegious horrors, profaning churches, throwing upon the ground the sacred host and using the holy vessels for their injurious beverages.

In 1704, they invaded the village of *Amatique*, near the castle of the Gulf of *Dulce*, on the side of *Honduras*, where they took captive many of the natives with their parish priest and killed many other Indians; and again in the same year they invaded the village of *Lemoa*, in the district of the Province of *Comayagua*, where they carried away the Indians of that neighborhood, committing sacrilegious acts in its churches.

And in the year 1707 they were in the village of *San Antonio delas Bodegas*, in the region of the Gulf of *Dulce*, from whence they carried away the Indian women. They continued their in-

vasions in the year 1708, when, by way of *Verapaz*, they penetrated into the country and mountains to the villages of *Petén*, and afterwards, in the year 1709, captured the canoe that was on the *River San Juan*, with all its people. In the same year they entered the Province of *Nicaragua* and district of the Lake of *Granada*, doing great damage and hostile acts, and desolating that territory; they did the same on other occasions in the Province of *Costa Rica*.

And, finally, in the year 1710, entering the plantations of *Chontales*, in the jurisdiction of *Nicaragua* they killed the Indians in one of the villages and carried away twenty persons, most of whom were women.

These hostile acts have remained unpunished for lack of provision therefor. Discussion has been had at a general Council of War and Finances as to what should be done and the measures to take for that purpose. It was deemed necessary at that council, in order to secure some good results in the punishment of the *Zambos*, that there should be a cooperation of land and sea forces; but such measures were not practicable in those provinces, and it became indispensable to have recourse to my Royal Person, to the end that I might be pleased to direct the Viceroy of *New Spain* and the Governor of *Cartagena* to assist the undertaking with vessels by sea, by sending the fleet of *Barlovento* and the Coastguards of *Campeche*; this arrangement being to your satisfaction, you begged for a determination of so important a matter.

And at the same time letters were received from Don Fr. Benito Garret. Bishop of *Nicaragua*, dated November 30, 1711, in which, inspired by his ardent zeal for my Royal service, he made a detailed statement of the origin of the hostilities of the aforesaid *Zambos*, suggesting the measures most desirable for their extermination. These measures involved the use of a force of two *galeotas* with keels of 25 yards and with a corresponding beam, with 40 oars to each; six launches or long boats with keels of 16 yards and four yards beam on deck, with 16 oars; and six or eight canoes. These would cost a little more than 12,000 pesos, if constructed in that province of *Nicaragua*, and would carry 1,200 men with arms for landing; and these vessels, after the enterprise was over, could be sold in

Puertobelo or *Cartagena*, where they would bring a double price, as these constructions are more expensive there. The measures also provided for pieces of artillery, which can be used in the *galeotas* and in the field, fifty *pedreros*² with the necessary supplies, 1,200 muskets with their bayonets; 10,000 pounds of powder; 100 quintals (a weight of a hundred pounds) of lead in balls and some for the artillery; and the corresponding supplies for six months or longer for feeding and the maintenance of 1,200 fighting men to be employed in the undertaking, said supplies to be made up of salt meat—a pound for a ration—maize biscuits, cheese, vegetables, and spirits and other medicines for the care of wounds and diseases. He estimated that 15,000 pesos will be required for this, and, adding the two sums, for the construction of the vessels and the maintenance of the men only, it aggregates 27,000 pesos; to this must be added the 10 pesos which must be paid to each one of the 1,200 men, part of which amount can be afterwards deducted from the value of the prizes that are taken. And it being a matter concerning religion, he was moved to write to the Archbishop of *Mexico* and to the Bishops and the ecclesiastical Cabildos of *New Spain* to interest them in this necessary undertaking and in the rescue of those miserable captives (contemplating that the means that might be supplied by my Royal Treasuries) would not suffice and move their charity to assist with a contribution to help to defray the expenses that will be incurred in the enterprize, advising them to report to me upon this proposition, and expressing the belief that my Catholic zeal would recommend its urgency, and that I would order that the money be passed along from Bishop to Bishop until it reached his hands, with full account and record for the distribution of what was necessary; and he offered with his ecclesiastics to assist for his part with 200 pesos, although his Bishopric is one of the poorest in *New Spain*. He also proposed that the 1,200 muskets with their bayonets, and the 50 *pedreros* should be sent from these

² A *pedrero* is a small gun, not set on a carriage like others, but fastened to the side of the ship or upon an iron on which it revolves to be pointed in any direction; it is usually charged with stones, broken iron or the like, and is called *pedrero*, from the stones, *piedras*, with which it is thus loaded.

Kingdoms with the first sailing, without loss of time, and forwarded to that province or that the Viceroy be directed to provide these two things, and that the artillery be taken from the port on the *River San Juan*, which would be left protected by the rear-guard as well as the remaining cannon which are mounted thereon. The Bishop also sent a map of the coast from *Portobelo* to *Trujillo*, showing the settlements of the *Mosquitos* and the entries they make, by way the rivers near there, into the lagoon when they enter to attack that territory, the entry of no large vessels being feasible; he suggested also the desirability of directing the Duke de Linares, Viceroy of *New Spain*, to send an experienced commander to take charge of the expedition; and this prelate begs me that he may be permitted to go in person for the success of it.

And all of this has been considered at a full session of my Council of the Indies, with the greatest reflection which should be given to a matter of so much gravity; my Fiscal has reported thereon, and I have considered the matter; wherefore, knowing the consequences which have resulted and will follow from the location of the *Zambos* as enemies in the region they occupy—consequences which will be irreparable in the future if their destruction is not secured at once, and if no remedy is applied the effects of their horrible atrocities and heretical nature, and if my subjects are not freed from their continual attacks—I have resolved to agree to the proposition of Don Fr. Benito Garret, Bishop of *Nicaragua*, in the form proposed so that this conquest may be carried out; and to this end I have directed that there shall be made ready immediately, at *Cádiz*, the 1,200 muskets with their bayonets, so that at the first opportunity of the sailing of a ship or ships they may be transported to *Vera-cruz*, and from there forwarded to you by mule trains, and that a post be despatched in advance, so that, without waiting for these, you can with their notice give the orders to the persons who shall handle them in *Nicaragua* for the transportation in that region, with account and report, which the Royal officials of the city of *Guatemala* shall keep in their books, so that none may go astray, and that they may be returned and gathered together when the expedition is over and taken to the city of

Guatemala where they shall be stored and always kept with the others, for use in other expeditions that may come up.

And I approve the construction in *Nicaragua* of the two *galeotas*, six launches and long boats and six canoes, prepared by the said Bishop, the work on them to be under his direction; and that this should be paid for at the cost of my Royal Treasury, for which purpose and for the expense of supplies for the men who are to be engaged in this extermination, I order and command you to provide without delay from the Royal Treasuries of *Guatemala*, and place at the disposal of the said Bishop, the 27,000 pesos which are considered sufficient for those two items of expense, and to cause this sum to be paid in cash and not in products or anything else, and the same as to the amount of the advance payment of 10 pesos for the men who are to be engaged for the period of six months in this campaign of extermination.

It is my will these amounts, and all the rest that may be used in this war, shall be made up from the amounts that are at present existing in the Royal Treasuries of that district and the rest of *New Spain*, from the product of the vacancies of the Bishoprics therein; provided that such reimbursement does not embarrass the commissions which I gave on the 6th of June, 1712, to the Senior Judge, and afterwards to the oldest of the senior members of all my Audiencias, to the one to take accounts and collect for the vacancies of Bishoprics for 25 years in this part, and to the others to run with the account and record thereof from January 1st of said year 1712, with inhibition against all tribunals and justices from impeding said arrangements, and if it shall be necessary, the said officials are to provide (as I command in virtue of this despatch) promptly all that is necessary for the said purposes;

And by a despatch of this day I send orders to my Viceroy of *New Spain* so that he may take up the enterprise and provide you with the amounts that you shall request of him, for which you will despatch a post to him if it is necessary; and I have also ordered that from the storehouses of *Veracruz* there may be immediately forwarded at your disposal the 50 *pedreros* which are needed, and that, if they should not have all or a part of them, such as may be lacking shall be bought, at the

cost of my Royal Treasury, from private persons at that port who may have them, or taken from commercial vessels for cash payment and prompt delivery; and that at once and without delay there shall be sent from that Kingdom of *New Spain* to *Nicaragua* two military subjects from among those most experienced and to your satisfaction to be found in that city or Kingdom, one of whom shall be the principal commander of the men who are to take part in this enterprise and the other his subordinate, so that in case of the former's absence the latter may succeed to his place and command; with the notice that both must observe the orders which shall be deemed to be desirable for this expedition by you and the Bishop of *Nicaragua*, as the persons whom I constitute and appoint as the principal directors of the conduct of this war.

And I also order and command that there shall be provided for this expedition all the powder, cordage and balls and necessary munitions, so that for the lack of these things the important purpose of this expedition shall not be lost; and that the artillery to be taken from the Fort of the *River San Juan*, without leaving it unprotected, using all your zeal and influence to effect and facilitate this, and that there shall be assembled and collected the number of men proposed as necessary for this armament; and that these men must be the best and most experienced; and that they be offered in my Royal name the **corresponding reward** which shall be particularly and generally deserved in the progress of the affair, note being taken that its success must be worked for until it is accomplished, which is to exterminate all the *Zambos* who are enemies in the place called *Puntagorda* in the territory of *Mosquitos*, leaving both places quite free from them;

And for this purpose you will arrange, jointly with the said Bishop Don Fr. Benito Garret and the other officials of that Audiencia as you may deem proper, the means and the form of preserving those regions in the greatest safety, so that there shall not be a failure on that account which would cause a new population hereafter to experience from like causes such difficulties and risks; and you will observe in this the greatest economy and give an account to my Council of the Indies of what you shall arrange and execute, so that with full knowl-

edge I may be able to resolve what shall be most desirable for the establishment, settlement and defence of the locations referred to.

And it is my will that the *Zambos* who surrender or shall be conquered shall not have their lives taken in cold blood, but that they shall be kept as slaves, but those who, by reason of special atrocities of which they are properly convicted, shall deserve to be executed, are excepted from this pious regulation; and that those who continue as slaves shall not be kept together, or in one region, but they shall be distributed in different places in small numbers and under such precautions as will insure their peaceful behaviour to the end that they may never undertake any further insurrection; this disposition I leave to your judgment and to that of the Bishop of *Nicaragua*.

And it being desirable for my service and for the planning of this enterprise, and the assurance of so important an affair, that all the precautions and needful measures be arranged before hand, I direct that (if it shall be possible) you shall meet with the said Bishop of *Nicaragua* at the most convenient place intermediately between your city of *Guatemala* and *Nicaragua*, to confer and reach an agreement as to all the steps to be taken for the prosecution of this extermination, and of this I also notify the said Bishop; and in case that this may not be possible, or that it may be inconvenient on account of the haste which I desire in this affair (with which haste you are both charged) it is my will that you shall correspond by letters despatched by post, without omitting the least thing that is of importance for the conquest. For which purpose it has appeared to me desirable that the President and Audiencia of *Panama* should be informed of this expedition, so that on their part, and at the nearest point in their territory or closest to where the course of the expedition may be, they may assemble the ships and the coast-guard and the other vessels that they may deem necessary and which may be on the coasts of their district, providing them with munitions, crews and arms, in order that these vessels may gather and meet at this location of the settlements of *Mosquitos* for the better accomplishment of the desired end; and that said President communicate with you and the Bishop of *Nicaragua*, who, being

informed of these measures, will inform him of the time and location where these vessels are to be present, the direction and the work they are to execute, so that being prepared with this notice, both forces coming together, this enterprise may be successful. This despatch I forward to you, in order that you may direct it to him at the most opportune moment, and also because if it should not be necessary to have this assistance you may retain it in your possession without making use of it.

And in contemplation of the affection and the zeal which is shown by the Bishop of *Nicaragua* for the success of this expedition, offering as he does to go personally to take part in it as a matter of religion, and in consideration of his experience as to the conditions and situation of that territory, to which may be added the important aid that his presence will afford in encouraging and assisting thus the fighting men as well as those who shall be subjected to our holy law and obedience, I have thought it best to approve of his going personally on this expedition, and besides, after you and he have agreed and arranged the measures to be pursued in its prosecution, he will be able to act upon them quickly and without delay accordingly, as difficulties may arise.

And finally, I order and command you to provide what is desirable to the end that this enterprise, so arduous and for the greater service of God and myself, may be successful, and to supply all the expenses which shall be occasioned over and above those above referred to, from funds in my Royal Treasury and from those which the Viceroy of *New Spain* shall supply, all of which funds are to be reimbursed to my Royal Treasuries from the total that has been produced and shall be produced by the vacancies of the four Bishoprics of that jurisdiction and the others of *New Spain*, as has been stated; provided that no embarrassment shall be caused to the Judges, deans and sub-deans of all my Audiencias, since these must arrange to provide promptly all the amounts which are asked of them by my Viceroy of *New Spain* for the purpose mentioned touching that jurisdiction. In conformity with the foregoing you will give notice to my said Viceroy of the amount that shall be lacking to make up the whole, allowing what the vacancies of the said four Bishoprics of that jurisdiction may amount

to and what may be collected by reason of benevolent contributions, which I hope will be made by the Bishops and ecclesiastical classes of that Kingdom of *New Spain* (which I charge with it), so that my said Viceroy may furnish the rest and be reimbursed with any other assets of my Royal Treasury of those provinces from whence the supplements are made, giving to me an account, with the greatest detail, of what all these expenses amount to and their distribution in order that I may be informed thereof.

And you are informed that by a separate despatch you will be advised of the manner, and the vessel in which the 1,200 muskets with their bayonets (already on hand in Cádiz) will be forwarded from these Kingdoms. All the text of this my action is also communicated to the said Bishop, so that both of you may act in harmony and be able without confusion to agree upon and carry out this affair, for which you are to work, and I have the greatest confidence in the success of this most important enterprise, through the zeal, vigilance and care which I expect you will show for your part in this serious matter, which in my consideration will deserve my Royal gratitude corresponding to its result, keeping always in mind my high consideration and the benefit that will flow to those provinces by the free carrying on of this traffic and peaceful relief from the invasions from which they have suffered up to this time, and the development which will come to our religion and the exaltation of the Faith by the punishment of the treachery of the barbarous heathens who outrage it and the Kingdom.

Of the contents of this despatch and of what shall be executed in virtue thereof, you will give me a report, so that I may be informed thereof, which will be registered by my accounting officers (*contadores de cuentas*) who sit in my Council of the Indies.

Dated at Madrid, April 30, 1714.

I, THE KING.

By command of the King, our Master:

DON DIEGO DE MORALES VELASCO.

Doc. 155 Royal Cédula Establishing the Viceroyalty of Santa Fé.

SEGOVIA, May 27, 1717.¹

THE KING.

Tribunal of Accounts of the city of *Santa Fé* (de Bogotá) in the *New Kingdom of Granada*:

Having on several occasions discussed the importance of establishing and locating a Viceroy in the Audiencia which sits in your city, and considering the pertinent reasons which concur to urge its fitness, and the desirability of that Kingdom being ruled and governed by a Viceroy who may represent my Royal Person and who shall have charge of the Superior Government, do and administer justice equally to all my subjects and vassals, be interested in everything that tends to the comfort, quiet, improvement and pacification of that Kingdom, fill the office of President of the Audiencia, having under its charge the administration of those widely separated provinces, and perform all military services which pertain therein to its Captain General, so that he may do, cause to be cared for and care for everything that my Royal Person might do and care for if personally present, and might deem to be desirable for the conversion and protection of the Indians, the dissemination of the Holy Gospel, political administration and their peace, tranquility and progress in spiritual and temporal matters, by which means my vassals would be benefitted; likewise the care and service of the maritime stations which are embraced within this territory, the principal ones and the bulwarks of America being those of *Cartagena*, *Santa Marta*, *Maracaybo* and others, the funds of which are consigned in your treasuries of *Santa Fé* and *Quito*, whereby they will be promptly relieved, having a Viceroy in the capital which is in the center of that Kingdom; and the said Royal Treasuries being under his command, he will be able to proceed quickly to the station or stations which the enemies of my Crown may seek to invade, and give such help

¹ Archives of the Indies. Shelf 73. Compartment 6. Bundle 1. Ricardo S. Pereira—*Documentos sobre límites de los Estados Unidos de Colombia*, p. 5. Bogotá, 1883.

and take such other measures as the urgencies of the case may require.

Therefore, by these means contentions will be avoided and prevented as well as such scandalous and noisy uprisings as those which have occurred in the tribunals of that Kingdom and among the officials who serve therein, to the great injury of the service of God and myself, and the prejudice of the public business, and not the least to the detriment of the Royal Treasury, since those dominions—the scene of its operations—are already in a miserable and distressing condition.

And being always desirous of affording relief to my vassals, and to furnish a remedy and repair the troubles of so serious and hurtful a character as those which have been experienced, I resolved by my Royal Decree of April 29th of the present year that there should be established and located a Viceroy in that Audiencia which sits in the city of *Santa Fé* (de Bogotá), *New Kingdom of Granada*, and that he be Governor and Captain General and President thereof, in the same manner as are those of *Peru* and *New Spain*, and with the same powers that are conceded by the Laws, *Cédulas* and Royal Decrees, and preserving to him all the privileges and exemptions which are usual and are practiced and observed as to those of the other Kingdoms.

And that the territory and jurisdiction which the said Viceroy, Audiencia and Tribunal of Accounts of that city of *Santa Fé* are to hold are and shall be the whole of that Province of *Santa Fé*, *New Kingdom of Granada*, those of *Cartagena*, *Santa-Marta*, *Maracaybo*, *Caracas*, *Antioquia*, *Guayana*, *Popayán* and those of *San Francisco de Quito*, with all the rest and the districts that are embraced therein.

And I have also resolved, with respect to the addition of the Province of *Quito* to that Audiencia of *Santa Fé*, that the Audiencia which sits in the city of *San Francisco* thereof be suppressed; the Royal officials thereof and those of *Caracas*, and the financial offices subordinate thereto are to submit their accounts in the Tribunal of your city of *Santa Fé*, beginning with those of the present year of 1717, it being the duty and obligation of that of *Lima* and *Caracas* to receive those submitted up to the end of the year 1716 just past, which are to be concluded and

ended as promptly as possible, collecting the balance settled as resulting in favor of my Royal Treasury, and in the same fashion finish up and determine the results and additions which may have been made or which shall be made in the prior accounts, proceeding to the collection of the amounts which shall be found due from the Royal officials and other persons.

And that the Tribunal of Accounts of *Lima* and the office of the *Contaduría Mayor* (Chief Collector) of *Caracas* forward to that of your city of *Santa Fé* certified copies of the papers, Royal Orders and *Cédulas*, which may have been issued for governing and regulating the proper administration of my Royal Treasury in the said financial offices and those subordinate thereto; and the President and Judges who sit in the city of *Santo Domingo* are to determine as promptly as possible the suits which may be pending therein from *Caracas* and the rest of the territory which belongs to and is now under the jurisdiction of that Audiencia, making a report of having done so, and with this understanding the Viceroy and the Tribunal of Accounts of *Lima* and the President and Judges of the Audiencia of *Santo Domingo* shall thenceforth refrain from any action in the causes and affairs which may in any manner concern the territories mentioned, which from now are placed under the Viceroy, Audiencia and Tribunal of Accounts of your city of *Santa Fé*, as well as those under my Royal Patronage, judicial and political, such as matters of government, war and the Royal Treasury, it being my will that hereafter the Viceroy, Audiencia and Tribunal of Accounts of your city shall act in relation thereto.

And inasmuch as it may be necessary, in order that all of the foregoing, as well as the other charges and affairs which may arise in that *New Kingdom of Granada* may be executed and carried out, that there should be an official of integrity, rank, authority and representative capacity—this being desirable for my Royal service—I have seen fit to designate Don Antonio de la Pedrosa y Guerrero, of my Council of the Indies, to go at once to your city of *Santa Fé*, and other places which may be deemed best, in order to establish and set up the Viceroyalty mentioned, and to reform everything that may be required, giving for its direction all the desirable orders and provisions.

Likewise, I have resolved that as soon as the said Don An-

tonio de la Pedrosa y Guerrero arrives in your said city he shall himself receive the Government and the Captaincy General of that Kingdom, and the Presidency of that Audiencia, taking possession in order to conduct and manage the same until the Viceroy may arrive whom I may appoint; but if the latter die or there be any other impediment the aforesaid Don Antonio de la Pedrosa y Guerrero shall conduct the said Viceroyalty in the same form as it was conducted or should have been conducted by the said Viceroy, and while serving therein he shall nevertheless take part in the Audiencia and Tribunal of Accounts, provided that he shall deem it desirable and necessary, with voice and vote, ranking all the Judges, *Contadores* and Royal officials as well in all public acts that may come up.

And I have commanded the said Don Antonio de la Pedrosa y Guerrero that he is to proceed to the city of *San Francisco de Quito* and extinguish and suppress the Audiencia which sits therein, and likewise proceed to the city of *Panama* to extinguish and suppress the Audiencia which is located there, with the understanding that the territory and jurisdiction embraced therein be at once added to the Viceroyalty, Audiencia and Tribunal of Accounts of the city of *Lima*; and that in pursuance thereof he is to give the orders that he shall deem proper to the end that the same be executed and everything referred to carried out, as well as the rest that is desirable for my Royal service, observing the Instruction signed by my Royal hand which was delivered to him therefor, as well as the other charges and affairs which I have placed in his care, for which expedition and action I have granted to the said Don Antonio de la Pedrosa y Guerrero the power and authority, with such sufficient jurisdiction as may be requisite and is needful, issuing to him the proper despatches in a confidential form, this being done on account of its desirability for my Royal service; of all of which I have desired to inform you in order that you be advised that this is my Royal resolution, commanding you (as I do) that insofar as it relates to you, you are to punctually observe the contents thereof, and you are to obey and execute all the further orders which the said Don Antonio de la Pedrosa y Guerrero may give to you, without contravening them in any manner whatever, it being understood that by despatch of this date

I have given corresponding orders to the Tribunals of Accounts of *Lima*, *Quito* and *Caracas* and to the Audiencia of *Santo Domingo*, in order that they also may observe them on their part, precisely and punctually; this being also my will and for the good of my service.

Dated in Segovia, the 17th of May, 1717.

I, THE KING.

DON MIGUEL FERNANDEZ DURÁN.

Doc. 156 Report of the Governor Don Diego de la Haya Fernández to His Majesty.

CARTAGO, April 14, 1719.¹

SEÑOR:

This Province of *Costa Rica* is situated between two others—that of *Veragua* and that of *Nicaragua*—and encloses also on the South side, the parcel of the small district of *Nicoya*. The length of this said province appears to be 160 leagues, which begin at the River *Boruca* (the same one which separates its jurisdiction from the Province of *Veragua*) and it extends to the place called the River *Salto*, which lies between the second named and the Province of *Nicoya*. Its width is 60 leagues, taking it from the Valley and Coast of *Matina*, which is on the North side, to the Port of *Caldera*, which is washed by the waters of the South Sea; and by the River *Tempisque* which separates the jurisdiction of this province from that of the said district of *Nicoya*.

In imitation of the Kingdom of *Tierra Firme*, the name of Austral Peninsula may be given to this province, for if the former kingdom, with an isthmus or neck of land of 30 leagues—that being the distance from *Portobelo* to *Panama*—separates the two seas of the North and the South, this province, with its isthmus of sixty leagues, separates them in the same manner, there being in this one other places so narrow that there are

¹ Archives of Guatemala; now in the National Archives of Costa Rica. Fernández, V, p. 475.

hardly twenty leagues from one sea to the other; and though these places have been explored yet they are not utilized for trade because enemies can enter therein so easily.

The whole of this province is situated at a latitude of eight or nine degrees, and it contains two ranges of mountains, one on the South and the other on the North side, in which there are high elevations as they are interwoven one with the other from the Province of *Veragua*, and continuing on throughout its entire extent they finally flatten out in that of *Nicaragua*.

In the said Valley of *Matina* there are a number of plantations of cacao which yield the best that is found in the world, the bean not only being larger than that of *Guayaquil* and *Caracas*, but, by reason of the oily character it possesses, it does not dry up and continues in a good condition for eight or ten years after it has been gathered. At present there are in said valley as much as 80,000 trees, which will yield an abundant harvest if the continuous storms of wind and rain do not injure the buds at the time they begin to flower; but in spite of this they produce every year from twenty-five to thirty thousand pesos, at the rate of a hundred to the *real* (which is the currency of the province) and twenty-five pesos per package of one quintal (100 lbs.).

This said valley is open to the coast and runs from North to South, and in places North-west to South-east. It has one small port, that of *Portete*, and four bars in the sea, known as the mouth of the *Jiménez*, that of *Suerre*, that of the River *Matina* and that of the River *Moín*. In the three last three officers and eight soldiers are stationed, taken from the militia companies of this province, as guards and outlying sentinels and for the purpose of watching the operations of the pirates, enemies and rebels; as well also the *Zambos Mosquitos* who frequent the said coast at all times, it being the duty of the said officers to notify the Lieutenant General of said Valley of whatever may happen, and the duty of the latter to inform the Governor and Captain General.

Notwithstanding the sentinels referred to, there have been attacks at various times in the said valley by enemies and by the *Zambos Mosquitos*, carrying off the crop of cacao, the slaves which the residents there had for the cultivation of the

plantations and also many free persons of colored blood, selling them as slaves in the colonies of *Jamaica*, *Curacao* and other settlements that they have in this America. And, although by the Royal *cédulas* of Your Majesty of June 4, 1677, and of September 27, 1681, Your Majesty commanded the Governors of this province, my predecessors, to construct two towers or a fort at the entrance to the said river of *Matina*, they were never complied with, but even if they had been built they would not have been effective because of the fact that the whole of the valley is an open coast, having various trails or paths which have been opened by the pirates and *Mosquitos* whenever they have entered for the purpose of plunder, there being no exact spot where one or two fortifications could be placed so as to afford them protection from such wrongs as they have suffered.

To the leeward of this valley, at a distance of 68 leagues, is the castle of San Lorenzo, at the mouth of the River *Chagres*, 12 leagues further down than the city of *Portobelo*; and between this valley and the said castle are located to the leeward of this valley, at some distance from the coast, the *Guaymí*, *Doraces*, *Chánguencs*, and *Talamanças* Indians; and these latter are the nearest to this province, there being encountered in said transit mentioned the *Bocas del Toro*, the Bays of *Almirante* and other harbors and inlets; also the Islands of the *Tójar* Indians, the most warlike in the whole of America, since they do not hold any intercourse or relation with any other tribes.

To the windward from the said Valley of *Matina*, after passing along the shore for twenty leagues, is found the mouth of the River *San Juan*, which may be ascended to the city of *Granada*; and from thence to *Punta Gorda*, which is still further on, it is as many more. In this latter there is a settlement of seven families of seditious English, with several families of Indians; and there is a large river, the waters of which empty to the North. From this place along the coast are the settlements of the *Zambos Mosquitos* extending for a distance of more than eighty leagues, from which in various kinds of canoes or dug-outs they come in five or six days to the Valley of *Matina* and these shores.

The Port of *Caldera* lies to the South and under the North Star; it is small for large vessels but sufficient for those with

keels of 25 to 30 feet. The shore, both to the leeward and the windward, has various inlets and bays, where enemies have made their landings; and even if there were a fort at the said port, in a good situation suitable for its purpose, while there is no doubt that it would protect the port, it would not be able to defend the rest of the places along the coast because it is too open.

From the said port of *Caldera*, and along the coast to the leeward, there are two headlands of *Quepo* and *Dulce Gulf* (a bay large enough for a hundred ships which lies midway between the city of *Santiago de Alange* of the Province of *Veragua* and the Port of *Caldera* mentioned); and proceeding along the said coast, upon the leeward course, the trip may be made to *Panama*, which city is distant from the said port of this province 160 leagues, the usual voyage being twelve to fourteen days.

Along the whole of the course mentioned, which lies upon the South side, as well as in the Vallèy of *Matina* in the North, there is good timber for building vessels and very good docking places where the same could be done.

To the winoward of said Port of *Caldera* is found the strip of land belonging to the district of *Nicoya*, which has a length of 30 leagues and a width of 11; and in it there is only one village of Indians, having two hundred persons of all ages and both sexes, who are ruled and governed by an *alcalde mayor* appointed by Your Majesty. From the said district to the Port of *Realejo* it is 80 leagues.

Small frigates, which come from the Port of *Panama* to take in cargoes of tallow for the manufacture of candles in that city and its provinces, touch at the Port of *Caldera*, within which there is to the windward a capacious bay, and they sail through that until they enter into the River *Tempisque*, by which, in three tides, they can reach the landing place. At one time they took cargo from the Valley of *Bagaces* of this province and from said district of *Nicoya*, the two jurisdictions of which are separated by the river mentioned.

What has thus far been stated covers the ports upon the North and the South which this province possesses for its protection; and I now pass on, Señor, to inform Your Majesty regarding

its settlements and towns, the capital being *Cartago*. This is situated in the midst of a valley, which is itself centrally located as to the whole province, since from the Port of *Matina* to this city it is 30 leagues and from the latter to the Port of *Caldera* it is 30 more. So much for its width; as to its length, from this said city to the village of *Boruca* it is a distance of 80 leagues and the same from it to the River *Salto*, which separates its jurisdiction from that of *Nicaragua*.

The capital has one church and a parish chapel, a convent of San Francisco, two hermitages and seventy dwellings built of *adobes* (mud bricks) and thatched. At a short distance it is surrounded by some very prominent mountains, the highest of which is a water volcano, though being at a distance of two leagues from this city it appears, so far as its height is concerned, to have others overlooking it; and from time to time there originate and proceed from this volcano earthquakes that have ruined and damaged its temples and dwellings.

While this city has but a few houses, the residents who live in it are fewer still, on account of having their farm houses in its neighborhood, in which they usually live by reason of the great poverty in that section; the families who are thus living in the country number more than three hundred, most of them in straw huts, attending to the duty of raising four head of cattle and making their plantings of maize. They come to the city only on feast days, in order to hear mass, so that on other days it is very certain not more than ten or twelve men will be there; and generally they all live in rustic fashion, most of the women being contented with a simple loose garment of goat's hair cloth, a mantilla of green baize and a white hat, not being familiar with cloaks, earrings, jewelry or rings, for they do not make use of them, nor much less do they have the means to buy such ornaments. I have had this called to my attention many times, without being able to help the very pressing needs that are met with at every step, not only among the poor dwellers in this city and its vicinity, but also throughout the rest of the province.

In the outskirts of this city are found the villages of the native Indians called *Coot*, *Ujarras*, *Tobosi*, *Quircó*, and that of *Lavorios*, that of *Tacurrique* and *Atirro*, in all of which there are at the

present time 114 families, almost entirely naked, while those who have any clothing wear bark-cloth, taken from trees which are utilized for that purpose.

From this city, taking the Royal road to the Valleys of *Virilla* and *Barba*, at a distance of four leagues are found the villages of *Curiravá* and *Aserri*, these two having 76 families of natives; and in the surrounding neighborhood to these villages, in the bottom lands along the rivers, many others of Spaniards, who live in the same fashion as those in the vicinity of the city of *Cartago*.

Following this same trail ten leagues from this city is the town of *Barba*, made up of a church and eight wooden huts; and a league from thence is found the village of *San Bartolomé*, which contains 58 families of natives. All this is in a fertile valley, over which cattle are scattered and a good many houses of Spaniards who live among the said fields in the same poverty as those before mentioned.

From this village, by the Royal road that leads to the city of *Esparza* and the jurisdiction thereof annexed to this province, the river called *Grande* is reached, which, although narrow, is deep. Across this, in a canoe or boat made of a log hollowed out, people and cargoes are transported from one side to the other, but animals, mules and horses have to swim. From this river, in order to reach the village of *Garavito*, on the road to *Esparza*, one traverses a mountain region for five leagues, where it is very rough, with steep and high places and several rivers and gulches; after which, and at a distance of five leagues further, the village of *Garavito* is reached, having at present three houses of wood, with as many families of natives.

From the said village of *Garavito*, to the city of *Esparza*, it is four leagues, the latter having a church built of poles and mud and thatched with tiles, a convent of San Francisco, of the same construction, and 14 houses with as many families of Spaniards and colored people; and from this city to the Port of *Caldera*, which lies to the South, it is four leagues. It has in its jurisdiction two valleys, one called *Landecho* and the other *Bagaces*; in these there are herds of cattle, a great many of which are killed to obtain the tallow which is sent to *Panama*, since this is the only thing they get from these animals, but the meat is left to spoil, there being no one to buy it or consume it. And in the

Port of *Caldera*, above mentioned, a guard of three men was stationed, serving as a watch upon the coast. This city and its jurisdiction is governed by a Lieutenant General appointed by the Captain General of the province.

From this city of *Espanza*, on the South side, inland from the coast and on the Royal road to *Panama*, the village of *Pacaca* is found at a distance of twelve leagues, in which are 47 families of natives; from this village one proceeds to that of *Quepo*, where there are eight families. From the latter one passes to that of *Boruca*, which has more than a hundred; and thence to that of *Téjabas* with fifty of the said families. The location of the last three villages from the said city is:—that of *Quepo* at 30 leagues, that of *Boruca* at 80, and that of *Téjabas* at 83; and these same measures are the distances of the said villages to that of *Cartago*.

In this province four different climates have been observed, of the following character: In the Valley of *Matina* and along its coasts it is exceedingly hot and humid. The valley in which the city of *Cartago* is built is cold and wet on account of the very heavy fogs which fall over it, coming down as they do from the mountains surrounding it, and continuing the whole Winter season, which begins in April and ends in December. The Summer season lasts for three months, from January to March, during which period they also at times have these fogs. The valleys of *Virilla* and *Barba* have the same climate and falling mists as that of *Cartago*; although as to the cold it is more moderate. The city of *Espanza*, the Port of *Caldera* and the Valleys of *Bagaces* and *Landecho* of this jurisdiction are hot and damp, but not to such an extreme as the Valley of *Matina* and its coasts.

The whole of this province, in general, abounds in cattle, swine and horses, and there are some mules. It is likewise very plentiful in such grains as maize and wheat and the like, as also in roots and garden stuff, the fruits of the country and some of those of Europe. Maize is planted throughout the year and yields a hundred *fanegas* for one planted. Two crops of wheat are harvested annually; one is sown in May and the other in October; and they yield ten *fanegas* for one. The work is done by the personal labor of the poor Spanish inhabitants, there being very few slaves throughout the whole of this province, for which reason they are helped by some of the Indians from the villages.

The trade and commerce of this province is very small and of very little benefit to its inhabitants; and the reason for this is because the package of cacao that is worth anywhere therein twenty-five pesos, is burdened with an expense of six pesos in order to take it out of the Valley of *Matina* to the city of *Cartago*, and to get it away from there it is necessary to trade it in the Province of *Nicaragua*, and for this there is an impost of one peso and five more for its transportation; and the most of the time it sells for twenty pesos, so that instead of there being some surplus they fall behind, losing the half of its value.

The same thing happens with the tallow, which is an article of commerce from the valley of *Bagaces* with *Panama*, as to which they get from one animal two or three *arrobas* (a weight of 25 pounds), and they sell it for eight reales' worth of goods for each one, so that they hardly get the value of three pesos, while the animal itself is worth more than that on the hoof; but on account of there not being any one to buy, the various owners only butcher for the purpose of getting the little tallow, required to pay their taxes.

The two kinds of articles mentioned are the only ones in the commerce of this province, which is the poorest and most wretched of any in America, its inhabitants finding themselves each day getting further behind in the very limited decency in which they exist; and, in the last place, the current money is the cacao bean, the silver real not being known at all at the present time anywhere therein; in fact the province has become so exceeding impoverished that no one has been able to discover whence the country got the designation and title of "*Costa Rica*."

There are several particulars I have observed in this province during the short period since I have taken charge of my duties, some of which can very well be improved: throughout its extent there is not to be found a barber, a surgeon or a physician, nor a drug-shop, and neither in the capital city nor in any of the other settlements are there for sale in the streets, or in the plazas, or in the shops any provisions, for which reason every inhabitant is compelled to plant and breed what he needs for consumption in his home during the year, the Governor himself having to do the same thing, because if he did not he would perish. In the city of

Cartago alone is there any beef, and this only upon two days of the week.

In the two cities of this province—that of *Cartago* and that of *Esparza*—the municipal council was extinguished in the former, during the year past, and in the second the same thing was done thirty-nine years ago; in each case because the members of the council did not have the money to send to the Court for confirmations of their offices; and for this reason the Governor appointed in the two cities two general deputies, and in the neighboring valleys four police judges for the better administration of justice, besides the deputy of *Matina*, the one in *Boruca* and the one in *Barba*, there being no notary in any of them.

In the midst of this extreme poverty which I have observed and to which I have referred, the inhabitants of this province are, generally speaking, turbulent, quarrelsome and rebellious, and there can not be found in the whole of it forty men of average capacity, the rest of them being very rude, dull and limited, without reflection; whence various accounts have arisen of what formerly happened, growing out of the foregoing and their lack of steadiness or stability.

On the 26th day of November of the past year of 1718, I assumed charge of this government, and on the 3rd day of December thereafter I despatched an order to the Royal Official Deputy that he should certify the arms and munitions which were on hand for account of Your Majesty; and this being done he said that he had two drums of powder, 2,000 balls, one bundle of match-cords incomplete, a hundred Spanish muskets and a hundred of foreign make.

Considering the small amount of arms and munitions which I had in order to defend this province and to protect it against the hostile attacks which might be made upon it by the pirates and the *Mosquito* Indians, I deemed it necessary, on the 12th of December mentioned, to make a report to the President of the Royal Audiencia of *Guatemala* (as being the one on which rested the duty to provide therefor) in order that he might arrange to forward to me some arms and munitions; but more than three months have elapsed since then and I have had no help therefrom; this results from the fact that this city is distant from that one more than three hundred leagues by the road overland, and for a letter

to arrive (if it does not go by express) it is usual to have a delay of three or four months, even though it may be forwarded by Royal Fiscals of these provinces.

On the 18th day of December mentioned I directed a general muster roll to be prepared of the militia of this city of *Cartago*, and by my order the same thing was done by the deputies of the Valley of *Matina* and of the city of *Esparza*; and the statements having all been summed up I found that there were in the whole of the province eleven companies, made up as follows: one of horsemen and ten of infantry, seven of Spaniards mixed with *mestizos altos*,¹ and the other three of *pardos* (mulattos) and other colors, there being altogether 1,218 persons.

In this muster it was noted that Your Majesty had 350 muskets and arquebusses and 24 lances; and the residents had 116 fowling pieces and 99 lances; many of the weapons being scattered among the dwellers in the country and badly used, I ordered them to be collected, directing that they be repaired and put in order, which work is still going on as there is but one armorer.

Upon the day of the muster above mentioned, and upon the following day, the squadron was formed in the plaza of this city with the said companies, and I proceeded to have a drill, finding them very slow, both the active officers as well as those who were retired, and the soldiers, and I gave them instructions, telling each one the way his weapon should be loaded and discharged, and how they were to execute the movements to the right and to the left, this being done by the calls of the new regulations issued by Your Majesty; and for their future discipline I have provided that there shall be four parades yearly, even though each one of them uses a keg of powder, for in a short time they will be taught what they ought to know, in case occasion for it should arise.

And although by the general muster it appears that in this province there are 1,218 men to bear arms, I have learned, through different agents who have investigated the matter at my request, that there are more than two thousand persons who would be capable of using arms but do not come to the said musters by reason of being naked and entirely without clothing.

¹ Half-breed Spanish and Indian in which the Spanish predominated.

Having gone over the ancient and the modern books that are kept in the archives of the Cabildo and government of this city of *Cartago* and having informed myself at the same time by various persons of advanced age, I have found that on the 17th day of April, in the year 1666, the Corsair Manflet (Mansfield) made a landing with 800 men in the Valley of *Matina*, and marched by the road inland until he came to the site of *Turrialba* (which is eight leagues from this city); but there having set out from it the Sergeant Major Alonso de Bonilla with only eight men, with their weapons, on account of there being no more, nor anything with which to fit them out, he made them turn back in their march and dislodged them from this province. Upon this occasion two of the pirates were caught (on account of their being crippled and left on the road), and upon their being asked for the reasons they had to make such a flight in the face of such slight opposition as was made to them, they asserted that they had themselves seen a large army; and by reason of what was afterward learned it was deemed a sure miracle performed by the good will of the Queen of the Heavens, Our Lady of the Village of *Ujarras*. Ever since that occasion a votive festival has been held by the *Cabildo* of this city, which proceeds with its dwellers every year upon a pilgrimage to the said village (which lies three leagues distant) to be present at and celebrate the commemoration of the fortunate day, upon which this province was delivered from the ravages which those 800 barbarians would have been able to commit therein. This happened while it was under the administration of the Campmaster Don Juan López de la Flor.

In the subsequent year of 1681 and in that of 1686, the corsairs Charpe (Sharpe) and another entered the Port of *Caldera* and city of *Esparsa*, in the southern part of this said province, and plundered and burned that city and carried away some persons of both sexes; these were afterwards, on payment of a thousand pesos, ransomed and the corsairs came back and put them on shore. After these two occasions, the inhabitants (so that they might not experience any more attacks), deemed it prudent to withdraw to the regions of *Bagaces* and *Landecho* and live there, and this is the reason that since that time the city above mentioned has been depopulated, so that now it has hardly fourteen houses, containing as many families of Spaniards and mulattos.

It appears that by reason of the incursion made by the 800 corsairs who came as far as the site of *Turrialba*, and other forays which were subsequently made by enemies through the two ports of this province, the Campriaster Don Juan Francisco Sáenz, its Governor, by several statements of the *Cabildo*, advised Your Majesty how necessary it was that there should be in this province a company of a hundred foot-soldiers; and in fact, this was provided for under two Royal *Cédulas* of Your Majesty, one of June 4, 1677, and the other of September 27, 1681, issued not only to the said Don Juan Sáenz, but also to Don Miguel Gómez de Lara; there not having been carried out the construction of the two towers or the protective fortifications which were proposed to Your Majesty for the Port of *Matina*, which, as I have above set forth in this statement to Your Majesty, would have been ineffective on account of there being no definite place at which to construct them.

On the 30th of April, in the year 1682, by the despatch from Don Juan Miguel de Agurto, President of the Audiencia of *Guatemala*, he forwarded here the seventy men raised in that Court in order to fill up the one hundred places of the said paid company, and enclosed the original list so that by reference thereto they might be provided for with the salaries and payments which were indicated for them, stating the corresponding situation therein, and rebating therefrom the taxes assigned for that purpose in this province; these were thirty pesos for the departure of each vessel from the ports on the North and the South, two pesos for each mule coming from here and going to the Kingdom of *Tierra Firme*, one peso for the shipment of each bale of cacao, and 158 pesos and 5 reales which were taken from the void taxes; but lacking the fleets of galleons these imposts have diminished to such an extent that in the past year they produced altogether but 785 pesos and 5 reales. This amount and that lacking to make up the two thousand pesos, with some small difference, is what this province contributes to Your Majesty, and this does not suffice to pay the synods for instruction, maintenance of guards on the North and South, the repair of weapons, mails and the administration of the deputy of the Royal officials.

The salaries which were assigned for this company were as follows: the captain 60 pesos, the ensign 25, the sergeant 15, and

the 97 soldiers, including the page, drummer and color-sergeant, 12 pesos and 4 reales each per month, which sums amount for the year to 15,750 pesos.

Upon the arrival of Don Manuel de Bustamente y Vivero as Governor of this province, in the year 1692, he found only 19 men in the said paid company, for which reason, in the year following, they began to raise men to fill up the quota; and he made a report thereof to the Royal Audiencia of *Guatemala*, in a statement on June 6th of that year, asking, among other things, that help be given to him in that situation, the said company having almost ceased to exist for want of means. Thereupon, by Royal *provisión*, he was ordered to cease recruiting and observe what was decided upon in the Boards of War and Finance of May 24th and April 30th of the year preceding, at the meetings held in the said city of *Guatemala*, the records of which were not to be found in any of the books of the *Cabildo* or government of this city, so that thereby a knowledge might be obtained as to the resolution concerning this matter.

The Province of *Talamanca* is contiguous to this upon the East side, the same being situated between the Valley of *Matina* and the entrance to the Castle of *Chagre*, at a distance of 70 leagues from this city of *Cartago*, by the land route, and where the first settlement was made upon the River *Estrella*, named Our Lady of *Concepción*, which was done in the year 1601, but in the year 1610 the said *Talamancas* revolted and killed the Spaniards, some women being kept by them.

In the year 1689 a mission came out for the subjection of *Talamanca*, and in the same year the Friars entered the mission and remained for more than two years, bringing many heathens to the light of the Gospel. And from that time they maintained themselves until September 28, 1709, with a small escort and some Friars, but on that date an insurrection broke out and the Fathers Fray Pablo de Rebullida and Fray Antonio de Zamora, ten soldiers, the wife of one of them and a child were murdered. A report having been made of the event to the Royal Audiencia of *Guatemala*, the latter provided that the then Governor of this province, Don Lorenzo de Granda y Balbín, should proceed to the said mountain region of *Talamanca* with two hundred men. He did this in person, dividing the

troop into two squads, one of which entered by the village of *Tuis* and the other by that of *Boruca*; and they established themselves in the village of *San José de Carécar*, in the midst of the mountain region, where they fortified themselves, killing a great many and bringing out to this city as many as 505 of both sexes. Some of these ran away again, others died and at the present time there are left in the service of the Spaniards of this province upwards of two hundred; the conquest was abandoned after this last occurrence on account of nothing further having been done about it.

During the years prior hereto, from 1713 to 1716, several parties of the *Talamancas* have come out to this city to seek for a Father to attend to their administration; and with a view to their undertaking it, they sought out two Friars, Apostolic Missionaries, named Fray Antonio de Andrade and Fray Alonso Villarejo; several conferences were held in regard to the means for carrying it into execution, but there having intervened the destruction of the city of *Guatemala*, caused by several earthquakes, all efforts ceased and the said Friars returned to their College of Christ Crucified which is located in said city, leaving these natives without the comfort which they had so many times besought.

What I have thus far stated has seemed to me desirable in order to compile, at the expense of some effort and within my limited ability and in the midst of the duties of this Government, all the points necessary in order to explain to Your Majesty how greatly it is to the interest of your Royal service that there should be zealous attention, prompt care and efficient remedies, and that quick measures be taken to rehabilitate this province, which, not being known, lacking commerce and being very poor, has not received even the most trifling consideration; but if the enemies should succeed in getting hold of it because of its being left unprotected, they could with very little effort dominate the rest of the provinces nearby and through them these Kingdoms, for the two ports which it possesses upon the North and upon the South furnish an immediate recourse for communication on the North with the neighboring colonies of *Curazao* and *Jamaica*, and thereby troops and munitions of war can be brought in without any need for carry-

ing along provisions on account of the abundance and cheapness with which the latter could be procured in the dominions of this province. Not the least important, besides, is the fact that in both of these ports good timber will be found upon the shores for the construction of vessels as well as docking places where they can be built; so that, in order to avoid troubles of the greatest magnitude and prevent barbarous and foreign tribes from engaging in hostilities against this province the following remedies are needful:

The first is that Your Majesty cause to be sent to this province two companies of foot soldiers, having fifty men in each of them, including their leaders, to be taken from the European armies of Your Majesty, to the end that under their clever and disciplined attention the militia of this province may become proficient. The captains should each receive 40 pesos per month; the lieutenants 30; the ensigns 25; the sergeants 15; and the musketeers 8; which salaries will be sufficient for their reasonable support, taking into consideration that the food in the province is abundant. All of this would amount in each year to 11,472 pesos.

One company should maintain the garrison for six months in the Valley of *Matina*, upon the North coast, exchanging with the other, with which, and the 150 men who are at all times engaged in the cultivation of the plantations in the valley referred to, a defense could be made against the continuous robberies which have been going on therein, committed by the pirates and the *Mosquitos* Indians; and said company could supply the three posts or guard stations which at the present are garrisoned by the companies from this province; but the former being veterans will thoroughly perform the duties of the position, while the militia do not act with such precision.

The other company should be in the city of *Cartago*, so that it might go to the succor of said valley in case of need, adding thereto a part of the militia; and in the same way it would be able to act for the defense of the Port of *Caldera* and the city of *Espanza*, on the South side, in case news is received of an enemy having entered in that sea. Whenever any such occasion may arise a garrison can be stationed in the regions of that

coast, manned with militia and where it will be best for such purpose, in order to prevent any landings.

If it shall be your Royal pleasure to have these two companies sent, in order to secure the greatest advantage for this province, they ought to come to *Portobelo* in such ship as Your Majesty may designate, and from that port to the said Valley of *Matina* they can be taken in sloops, which will make the trip in eight days. In this way the cost for their transportation will be much less than if they were sent to *Panama* and carried from thence to the South part of this province.

The short voyage from the Port of *Caldera* to the Port of *Panama* being safe, Your Majesty should direct that there be forwarded here from the said city the amount which is required for the two companies, as well as the arms and munitions that are needed in this province, for whenever enemies show themselves help can be afforded within a period of thirty to forty days; but to get assistance from the city of *Guatemala*, whither are consigned the war stores for it, on account of the distance being more than three hundred leagues by the overland road, would take at least four months, doubling the cost of the transportation of said war stores from what it would be if they were brought from the city of *Panama* to this province.

There being in this province eleven militia companies, and two paid ones being developed, I deem it desirable that the sergeant major of this station act for both, to avoid the difficulties which may arise with the officers in the said paid companies; to the said sergeant major 50 pesos per month should be assigned, not only for what has been mentioned but also for the continual labor he always finds with said militia and when they are in quarters.

As soon as I received the Royal despatch of Your Majesty concerning the reprisals of the English on account of the disruption of the peace, I made two reports to the President and Royal Audiencia of *Guatemala*, so that the necessary arrangements might be made with a view to forwarding arms and munitions as well as a company of a hundred men, although I still hold as necessary the two which I ask of Your Majesty in this statement. For this purpose I am now constructing in the plaza of this city a building sixty yards long and more than seven wide, which will have two rooms for arms, a store-room for

munitions and two for quarters and barracks, not only for the foot-soldiers but to provide for gathering into this city all the militia of its jurisdiction, since, inasmuch as there are not more than seventy houses, the poor people must now seek refuge in the fields. This was one reason for undertaking this construction, which is now half-way up, and another is the collection of the fire-arms of Your Majesty which are in bad condition and are scattered among the residents of this region.

This building was started at the expense of the salary which Your Majesty allows me, suggesting that the revenues of this city be used to help me therein, although being put in order they hardly produce sufficient to meet their proper obligations, for which reason I have petitioned the President and the Royal Audiencia of *Guatemala* to make me some appropriation for the cost of its completion. But if it should happen that it should not be given to me, I will not on that account stop until the said building is completed, carrying out this small service which I lay at the Royal feet of Your Majesty.

It being for the Royal service of Your Majesty that the two companies of foot-soldiers be sent to this province, and with them six thousand pesos in each year, thereupon, within the space of five or six years I promise Your Majesty to carry out the conquest of *Talamanca*, without neglecting on that account the defences here; for this purpose I will proceed in person to carry it out with fifty foot-soldiers of the militia, which will require six thousand pesos for the pay of the latter and for the purchase of supplies and equipment.

In order that the said conquest be made properly (and I deem the subjection will be a tedious one, considering the fact that these barbarians will always be engaged in getting up revolts, as they have done formerly), it is necessary to buy fifty mules equipped to transport provisions and supplies; also twelve saddle bars, 100 *machetes*, 30 axes, 20 hoes and the same number of shovels; the implements required for opening roads and for the destruction of their plantain groves and the fruit trees they may have; also materials for the construction of a barricade at the place where the Royal camp may be located, which must be maintained until the said conquest shall have been fully completed, keeping a garrison of fifty foot-soldiers out of the two companies

and fifty more from the militia, who are to be provided for continuously; and for this 6,000 pesos will be needed every year.

The bands of Indians who are apprehended are to be forwarded every Summer to this city; and to prevent their return to their former haunts I consider it desirable that all those who may be above the age of fifteen years shall be settled in the district of *Nicoya*, from whence they cannot run away; and that the younger ones be distributed among the residents of this city, allotting them to those who take part in this conquest, so that by this reward they may be induced to go cheerfully to engage in it, and also on account of the few domestics they have for the service of their houses, which will be carried out for such period as may be the pleasure of Your Majesty.

The district of *Nicoya*, as I have already explained to Your Majesty, is separated from this province by the River *Tempisque*; it has fertile lands, a great many cattle and a large number of plantain groves, the fruit of which is the daily bread of the Indians, and its climate is hot and damp, but comfortable for its natives, no other being found better for the purpose, and because it is also distant from the *Talamancas* more than a hundred and fifty leagues, the latter being in the northern part, while the said *Nicoya* is on the South side.

I can not refrain from bringing to the sovereign attention of Your Majesty the fact that the salary which is paid to the *alcalde mayor* of the district of *Nicoya* is a fruitless expense, that being a settlement with only a couple hundred persons more or less; and this section of territory, which lies contiguous to the Valley of *Bagaces* belonging to this province could be ordered by Your Majesty to be annexed to it, the Governor appointing a general deputy, in the same fashion as in the city of *Esparza* and in the Valley of *Matina*, where such official receives no salary whatever; and besides it would be a great advantage to the residents of *Bagaces* to have this population added to this province, since very few are to be found to help them in the butchering of cattle, from which they get the tallow they ship to *Panama*.

This same suggestion was submitted to Your Majesty by the Governor of this province, Don Juan López de la Flor, in the year 1665; and by the Royal *cédula* issued at the Court of Madrid on April 23. 1667, Your Majesty directed the Reverend Bishop

of the Province of *Nicaragua* to report concerning this matter and what was best to be done; but as I have no data concerning what he may have informed Your Majesty, it is my duty to again report to Your Majesty, with the knowledge that I now have, how greatly it is to the interest of this province that the said district of *Nicoya* be annexed to it; as to which may Your Majesty command as it may be your good pleasure.

In order that the said conquest may be made at the least expense, everything in this province being left secure and well-defended, as well as the income of your Royal Treasury increased, it would be very desirable for Your Majesty to forward here, upon two occasions, by way of *Portobelo*, to the Valley of *Matina*, 800 guns, 800 short cavalry sabres, 40 sets of pistols, and 2,000 flintstones. These being delivered in this capital city at the expense of Your Majesty, great progress can be made in the following manner: when the said arms arrive they are to be distributed among the residents, guaranteed and with the term of two years for their payment, who will gladly take them at the rate of fifteen pesos in silver for each gun; the same for each pair of pistols, eight pesos for each sabre and twenty pesos per thousand for the flintstones. There will be no failure in this, since in this protracted period they can sell their products in the neighboring provinces in order to get the money needed for the satisfaction of their credit. The said arms would amount to 19,040 pesos, leaving the residents armed for the said conquest and against any attempts which the enemies may make against them; and at the same time this would result to the benefit of Your Majesty, who would be relieved of their care and repair. These weapons are needed to equip the militia of this province, and being their own, they will keep them in order and ready for use, which will be a stipulation at the time of the sale, as also that they are to present themselves with them at all musters, in this way preventing them from parting with them.

If Your Majesty, therefore, decides to send the two companies and the arms that are asked for, the value of these arms can be at once made use of for the conquest mentioned, at an advance of twenty-five per cent, converting the proceeds thereof into supplies, equipment and hardware which will be required, because in the exchange of these things quick action can be taken.

And then, by a payment of only 1,500 pesos in *reales* each year for the men in the militia, that sum will be sufficient; by this means at a small cost the conquest of the said *Talamancas* will be attained, supplying me for that enterprise with powder and balls and the said 1,500 pesos from the Royal Offices of Your Majesty in the city of *Panama*, on account of its proximity and the fact that it is impossible for me to try and get them from *Guatemala*, where the means are appropriated for this conquest, as well also on account of the distance it is from that Court to this city, the help of which I consider remote.

I am not going to ask Your Majesty for powder flasks, nor four pouches for the munitions in this province, because the flasks from Europe last but a short time on account of the iron with which they are bound. I am now getting laurel wood for the making of a quantity of pouches, each one having seventeen holes in which to put that number of cartridges cased in deer-skin (not having any leather), which will serve almost as well as those of Your Majesty that are used in your armies; the cost of which will not exceed eight *reales* each, with the strap or support.

In the statements which I have submitted to Your Majesty in this general and imperfect statement of what this province contains, I trust that Your Majesty, with your high and sovereign understanding, will pardon my zealous earnestness, for in the fulfillment of my duty it has been necessary for me to bring these matters to the Royal knowledge of Your Majesty, out of consideration for the better preservation of the dominions of this province and the more rapid conquest of the *Talamancas*, without the double work which I have had to do for this purpose preventing me from the individual effort of making a description of this province, in order to add that slight service to the few that I have done for Your Majesty, at whose Royal feet I now dedicate it.

May God keep the Catholic Person of Your Majesty as your vassals desire and Christianity has need.

Cartago, March 15, 1719.

DIEGO DE LA HAYA.

On the 15th day of March, 1719, I made a copy of this statement in order to forward it to H. M. (may God preserve him), to go by way of *Panama*, and so I certify.

HAYA.

On the 13th day of the month of April, 1719, I made a certified copy of this statement, in order to forward it to His Worship, the Señor President of the Royal Audiencia of *Guatemala*, the Governor and Captain General of the provinces of this district, and this I certify and sign so that it may be known.

HAYA.

CARTAGO, April 13, 1719.

Whereas, since I took possession of the Government of this province I have applied myself with the greatest zeal and especial attention in order to obtain a knowledge of it, its defenses, ports, and harbors, distances and boundaries, its cities and settlements, the inhabitants thereof and those who are capable of using a gun, the arms and munitions that are available in order to repel any hostile attacks the enemies and *Zambos Mosquitos* might undertake against the Valley of *Matina* or its coasts, as well as those by the Port of *Caldera* lying on the South. In these matters and in other things stated, I have been advised by various capable and experienced persons, both political and military, who are residents of this said province, making at the same time several lists and taking a general muster in order to get a better knowledge of what was needed, not only to put these dominions in a regular state of defence, but also in order to subject by conquest the *Talamanca* Indians who revolted on the 28th day of the month of September in the year 1709, since these are the nearest to these countries.

Concerning all of this it seemed to me desirable to prepare an extended statement, and that was the one which, on the 15th of March last past in this year, I forwarded to H. M. (may God keep him) by way of *Panama*.

And also, on the 18th day of the said month, I received a despatch from His Worship the Señor President of the Royal Audiencia of *Gautemala*, the Governor and Captain General of these Kingdoms, under date of the 10th of February, enclosing therein

a Royal *cédula* of H. M., in which I was directed to make a report as to the situation in this province and the most necessary means for its full protection, sending the documents certified that are forwarded in order that they may have full faith and credit.

These reasons led me to form a War Board, of which a meeting was called to be held on the morning of the 14th of the present month, in my dwelling house; this board was to be made up of the active officers who are now in this city and in this neighborhood, so that upon the said statement being laid before them, from which I took what was sent to H. M., they might vote upon it, taking away or adding thereto, as they might deem most desirable for the Royal service, so far as regards the development and progress of this province; and in order that the said meeting be most effective I directed my Adjutant General, Don Bernardo Marín, to send word to all of said officials of war so that they might be present at the meeting upon the day appointed.

DIEGO DE LA HAYA.

By command of the Señor Governor and Captain General:

BERNARDO MARÍN.

Secretary of War.

In the city of *Cartago*, Province of *Costa Rica*, on the fourteenth day of the month of April, 1719.

Don Diego de la Haya Fernández, Governor and Captain General of this said Province for H. M., being in my dwelling house for the purpose of having a meeting of the War Board mentioned in the preceding order, there were met therefor the Lieutenant General Don Diego de Barros, Campmaster Don Francisco Bruno, Don Manuel Antonio de Arlegui, Lieutenant General of the Valley of *Matina*, Don Juan Francisco de Ibarra and Don Pedro de Alvarado, sergeant majors, of this city and of the city of *Esparza*, the captain of horse, José Felipe Bermúdez, and the Captains Don Alvaro de Guevara, Don Luis Morera, Don José de Morales, Don Juan Manuel de Alvarado, Don Dionisio Pacheco, Don Francisco de Morales, active war officers of this province; and to them was read the said statement mentioned in the foregoing order.

And they, having heard and understood it, unanimously said and agreed that this is the province in question in said statement,

the two paid companies being needed to defend it, as well as the guns, pistols and sabres, which the residents will gladly take at the prices indicated; and that it would be a great advantage for this province if the district of *Nicoya* were added to it, saving to H. M. the salary which is fruitlessly spent for the *alcalde mayor* thereof. The only suggestion they made was that the amount of 6,000 pesos in each year for the conquest of *Talamanca* was too small, as it would require during the first years more than ten thousand pesos, 4,000 in silver and 6,000 in goods, from which might be deducted the guns and sabres, which in exchange for provisions and war material would secure an advance of more than twenty-five percentum; but except as to this last point, as to all and everything they were agreed that what had been stated by the Señor Governor and Captain General of this province as set forth in said statement, in so far as regards the defence thereof, and what would in consequence of it result to the interest of H. M. (may God guard him). For which reason they expressed their thanks to the said Governor for his zeal, application and the labor he had done in the preparation of so long a statement within the short time since he had taken charge of the Government, setting forth so clearly and distinctly what are contained in these dominions and the help it should have, as well as the efficient work that is being accomplished in the building of rooms for the arms and the barracks, up to the present time at his own expense, in the plaza of this city, without having been furnished any sum whatever from the Royal Treasury, nor even from the revenues of this city, the work being now two-thirds completed. For this devotion to the Royal service and the public welfare, they offer again to the said Señor Governor and Captain General their thanks.

And they signed it before me and the undersigned Secretary of War.

DIEGO DE LA HAYA.

Diego de Barros y Carvajal, Don Franco. Bruno Serrano de Reina, Manuel Antonio de Arlegui, Juan Franc'o de Ibarra, Don Pedro de Alvarado y Jirón, José Felipe Bermúdez, Don Alvaro

de Guevara, Luis Morera, José de Morales Temiño, Dionisio Pacheco, Don Juan Manuel de Alvarado.

By command of the Governor and Captain General:

BERNARDO MARÍN,

Secretary of War.

This transcript agrees with the original of the War Board, from which Don Diego de la Haya Fernández, Governor and Captain General of this province for H. M., directed it to be copied, on account having to forward the said original to the Very Illustrious Señor Don Francisco Rodríguez de Rivas, of the Council of H. M., his President of the Royal Audiencia of *Santiago de Guatemala*, Governor and Captain General of the provinces of its jurisdiction. It is correct and true, corrected and compared with its said original to which I referred.

Done before me and witnesses, who, for lack of a notary, were the Captains Don José de Mier Cevallos, Don José de Morales and the Adjutant Don Bernardo Marín.

Dated in the city of *Cartago*, on the 14th day of the month of April, in the year 1719.

DIEGO DE LA HAYA.

Don José de Mier Cevallos, José de Morales, Bernardo Marín.

Royal Cédula Re-establishing the Audiencia of Panama. Doc. 157

BALSAIN, July 21, 1722.¹

THE KING.

Considering, that for various reasons I resolved in the year 1717, among other things, to suppress the Audiencia which was seated at *Panama*, and to transfer the territory comprised within its jurisdiction to that of the Viceroy, the Audiencia and the Tribunal of Accounts of *Lima*, leaving however the political government and the administration of justice to the care of Don Gerónimo Patiño and Don Josef de la Trinidad—one to remain as the safeguard of my Royal Treasury and to occupy himself with

¹Library of the King of Spain. *Cedulario Indico*, Vol. LXXXII, p. 157.

the collection of the tax on titles or appointments (*media annata*) and on stamped paper, the other for the protection of the Indians and to hold the court having charge of the effects of deceased persons and Assessor of Bulls, each with a compensation of 3,000 pesos per annum and being required to take charge of the affairs alternatively with the two notaries of the chamber which belonged to the Audiencia; that in case the latter should be called to perform their duties at *Lima*, they should select others of their choice to fulfill the duties of the said offices; and that they should besides take various other measures for the economic government, military and political, of that Kingdom. But lately We have observed the lamentable condition to which this Kingdom has been reduced in consequence of the suppression of that Audiencia, the lamentations of the poor, the complaints of commerce and the clamors of all this district which considers recourse to *Lima* as virtually impossible, not only on account of the great distance, but because of the condition of the Southern Sea, infested as it is with enemies, that causes great prejudice to the inhabitants of that province who see themselves obliged to abandon their defense; and this, still more, with regard to galleons, where there were cases offered which could not be determined except by the authority of a court, and as there was none in that Kingdom, in many instances where such matters were at issue they were left without results by reason of the expense of the proceedings, and this greatly prejudiced their interests. From these difficulties and others which may result from the lack of an Audiencia at *Panama*, there is reason to fear, because it is not very easy for the Audiencia of *Lima*, at so great a distance, to apply prompt measures in circumstances which may arise in that Province (of *Panama*). For this consideration and desiring the greatest comfort, well-being and satisfaction of my vassals, I have resolved that in the said city of *Panama*, Province of *Tierra Firme*, the Audiencia shall be re-established anew, as it was before, and according to the form it had at the epoch of its first erection, and as it is stated in Law IV, Title XV, Book II of the *Recopilación de Indias*, with a President, Governor and Captain General, with four Judges, who may be at the same time *alcaldes* in criminal matters, and one Fiscal, and that the other necessary Ministers and officers be re-established, so that, as previously

arranged, each shall receive the same emoluments indicated by the respective offices, observing only that the President, although wearing the toga (gown) must perform the duty of *Comandante de Armas* of the Province of *Tierra Firme*, always remaining subordinate, as was the case before the suppression of the Audiencia, to the Vice-Royalty of *Peru*. For this, I order that all that has been stated above be observed in a precise manner by all and each of the persons whose duty it is or shall be to carry it into effective execution as being agreeable to the service of God and myself, as well as to the subjects of these provinces.

By order of the King, our Master:

I, THE KING.

D. FRANCISCO DE ARANA.

Don Diego de la Haya, Governor of Costa Rica, in Virtue of the Royal Cédula of August 23, 1721, Claims the Restitution by the Governor of Jamaica of the Tójar Indians and Others Captured by the English and Mosquitos. Doc. 158

CARTAGO, October 8, 1722.¹

The Campmaster, Don Francisco Rodríguez de Rivas, of the Council of His Majesty, President of this Royal Audiencia, Governor and Captain General of this Kingdom, etc.

Whereas, His Majesty (whom may God preserve) was pleased to issue the Royal *cédula* following:

THE KING.

Whereas, having been informed that the English of *Jamaica* have made various seizures in the trade between the different ports of the two kingdoms of *New Spain* and *Peru*, treating the Spanish prisoners badly and selling the Indians whom they took, I have resolved, after consultation with my Council of the Indies on the 20th of December of the past year of 1720, to direct that communications be sent to the English Envoy, declaring to him my just complaint and surprise at both of these facts, and especially as regards the sale of the Indians; and that the same be presented in London by Don Jacinto Pozobueno, my Minister at

¹ National Archives of Costa Rica. Historical Section. Peralta—*Costa Rica y Costa y Mosquitos*, p. 95.

that court, so that the Government thereof may take the proper steps so that whatever Indians may have been captured and carried into their dominions be restored and taken back to the parties from whom they were taken;

Therefore, by these presents I order and command my Vice-roys and Governors of the two kingdoms of *New Spain* and *Peru* that if, in view of what has been stated, the English may have seized any Indians in the jurisdiction of any of their governments and have not set them at liberty, they shall, in my Royal name, claim their restitution until it is obtained, informing my Council in the matter as to the result.

And since from the fact of the taking away of the said Indians, there is to be inferred a continuation of commerce which the Island of *Jamaica* carries on with the ports of my dominions, to the great injury of my serious interests and the detriment of my subjects and in contravention of the laws, I direct and order them to do everything possible to prevent trade with foreigners in said kingdoms, proceeding with all the force of law against those who break this rule, in compliance with their obligation and the repeated orders I have given in this most important matter; and they shall be notified that for any neglect in the future they shall feel the effects of my just displeasure; and each one shall at the first opportunity acknowledge the receipt and report the fulfillment of this despatch, so far as it relates thereto, this being due to my Royal service.

Dated at San Lorenzo el Real, the twenty-third of August, seventeen hundred and twenty-one.

I, THE KING.

By command of the King, our Master:

DON ANDRÉS DE EL COROBARRUTIA Y SUPIDE.

And whereas, in obedience thereto I directed the said *cédula* to be given to Señor Doctor Don Domingo de Gomendio, of said Council, Judge of the said Audiencia, who holds the position of Fiscal therein, and he gave the following response:

The Fiscal Judge has seen the Royal *cédula* and says that Your Worship should be pleased to order that it be kept, fulfilled and executed as His Majesty directs therein and that, being registered

in the offices of the Chamber of the Government, the original was placed where it belonged; and for its execution and fulfillment the necessary letters are to be sent to the Governors of *Comayagua*, *Nicaragua* and *Costa Rica*, where such events may have occurred. *Guatemala*, April seventeenth, one thousand seven hundred and twenty-two.

DOCTOR GOMENDÍO.

And whereas, having seen this I directed that all should be done as asked for by the said Judge Fiscal, and that with a copy there should be delivered the necessary letters. And in order that it may be carried out, I issue the present, by which I order and command the Governor of the Province of *Costa Rica* that, as soon as he shall receive this letter, he shall see the Royal *cédula* herein inserted and keep, fulfill and execute it, according as it is therein contained, expressed and declared, without opposing its tenor of form in any manner or under any pretext; and on the receipt of this letter you will give to me a report at the first opportunity in order that I may advise His Majesty as regards his Royal service and the observance thereof.

Dated in the City of *Santiago de Guatemala*, on the seventeenth of April, one thousand seven hundred and twenty-two.

By order of His Worship:

FRANCISCO RODRIGUEZ DE RIVAS.

PEDRO PEREIRA.

In the city of *Cartago*, on the thirteenth day of the month of July, one thousand seven hundred and twenty-two.

Don Diego de la Haya Fernández, Governor and Captain General of this Province of *Costa Rica*, for His Majesty:

Having this day received from Pedro Justiniano, courier of the Cordillera, the letter from the Superior Government of this kingdom, containing the Royal *cédula* mentioned in said letter, with the papers following, being on foot and bareheaded, I took it in my right hand, kissed it and placed it upon my head, as the letter of my King and master (whom may the Lord preserve with an increase of more kingdoms and lordships, as Christendom has need). I obey it with due recognition and in the execution thereof I will take an inquest of the deputies who have been in the Valley

of *Matina* and other persons who have been present therein, to ascertain the number of Indians—*Talamancas*, *Viceitas*, *Urinas*, *Abubas* and of those of the *Island of Tójar*,¹ captured from their habitations by the *Mosquitos*, assisted by the Jamaican English on various occasions, and on others by the said *Mosquitos* and sold to the said English; and having regard, in any investigation of this matter, to the papers that have been prepared in said Valley concerning the arrival on those Coasts of the English and *Mosquitos*, with the numbers of Indians taken, so that in view of everything, and with the evidence of the Royal *cédula*, the demand may be made as His Majesty commands, and in his Royal name, upon the Governor of the *Island of Jamaica*, by way of *Tierra Firme*, in the negro trading ships, so that the result may be reported to His Majesty in his Royal and Supreme Council of the Indies.

So I obey and sign the foregoing before the witnesses present, for lack of a notary, and it is done on ordinary paper there being no stamped paper here.

DIEGO DE LA HAYA.

Juan Baptista Navarro. Miguel de Céspedes.

In the city of *Cartago*, on the thirtieth day of September, one thousand seven hundred and twenty-two.

Don Diego de la Haya Fernández, Governor and Captain General of this Province of *Costa Rica* for His Majesty, in fulfillment of the foregoing command and in obedience thereto, I directed to meet at my dwelling house Sergeant Major Don Juan Francisco de Ybarra, who is now in this place, Sergeant Major Don Manuel Antonio Arlegui, Captains Antonio de Soto y Barahona, Don Bernardo Marín and Don Antonio Salmón Pacheco, Lieutenant Generals who have been in the Valley of *Matina*,¹ the North Port of this Government, and also Captain Don Dionisio Salmón Pacheco, Adjutant General Miguel de Céspedes, Ensign Francisco Gutiérrez, Adjutant Manuel Banegas and Christóbal de Chavarría, persons who have been present in the said Valley at various times, either coming to or going from this city. To

¹ The Island of Tójar, island of Colón, of the Admiral.

² The Port of Matina was discovered and established by the Governor of Costa Rica, Don Gregorio de Sandoval, in 1636.

these I, being present, read and explained the Royal *cédula* inserted in the letter of the Superior Government and the obedience due thereto; and all of the foregoing being understood and each one of the aforesaid having stated his recollections upon the subject thereof, and the documents being exhibited, which were passed in this tribunal concerning the seizures the *Zambos* and *Mosquito* Indians have made among the Indians in these provinces and those of *Tierra Firme*, from which it appears that from the year of 1710 up to the present, from the said Valley as well as in the Island of *Tójares*, more than two thousand persons of both sexes and of all ages have been seized, the greater part of whom were held in the Island of *Jamaica*, in which country they were sold by the *Mosquitos* in exchange for guns and munitions, iron and steel and coarse clothing, which traffic is current every year, six or eight sloops coming for this purpose to these Colonies of *Mosquitos* and for the purchase of turtle and turtle shell, so that the *Mosquitos* have the help of the said English Jamaicans, who have not only furnished but do furnish them with arms and munitions with which to make such seizures, but they also instruct them in the use of the gun, preventing peace and communication with the Spaniards.

This is very well shown by what has happened in the present year, when the said tribe of *Mosquitos*, with their principal Chiefs, Bernabé, Pittar and Aníbal, being ready to come to said Valley of *Matina* to yield the obedience they had promised to the King, our Master, they were prevented by different sloops from *Jamaica* that came to the said Coasts of the said *Mosquitos* at the time and when they were disposed to go to said Valley, as more clearly appears by the declarations of the three Spaniards sent from said Valley to the said territory of *Mosquitos*, which appear, *in scripti*, in the archives of this Government. And they added that by their investigations made in said Valley it appears that the said Jamaicans brought to that Coast various arms and equipment for the *Mosquitos* to destroy and annihilate the *palenques* of the runaway negros who are in those mountains.

All of which those appointed on this Board, except Manuel Banegas who said he did not know, say is in accord with the facts as they occurred; and they signed it with me, and I also certify it; and it was done before me because there is no public notary in

this province; and it appears on this paper as there is none that is stamped.

DIEGO DE LA HAYA.

J. Franco de Ibarra. Manuel Antonio de Arlegui. Antonio de Soto Barahona. Bernardo Marín. Antonio Salmón Pacheco. Dionisio Pacheco. Miguel de Céspedes. Francisco Gutiérrez. Xpotóbal de Chavarría.

In the city of *Cartago*, on the first day of the month of October, of one thousand seven hundred and twenty-two.

Don Diego de la Haya Fernández, Governor and Captain General of this Province of *Costa Rica* for His Majesty, having seen the foregoing proceedings, by which appears the number of Indians that are believed to be in the Island of *Jamaica*, with the increase from their propagation, and, considering the same, it is directed that the testimony be taken from this file in order that it be forwarded as stated in my acknowledgment at the foot of the Royal *cédula* inserted in the despatch of the Superior Government of this kingdom, which is at the head of this file. Thus I provided and signed before the witnesses present, for lack of a notary.

DIEGO DE LA HAYA.

Bernardo Marín. Miguel de Céspedes.

CARTAGO, October 2, 1722.

There was made up this day the testimony of the Royal *cédula* and other proceedings in continuation in order to despatch it to the Governor of *Jamaica*, by way of *Tierra Firme*, at the first occasion that presents. And so that it may appear, I sign it.

HAYA.

CARTAGO, October 8, 1722.

Having copied out the testimony of these documents, and there being an opportunity to forward it by way of *Tierra Firme*, I direct that there be prepared the letter of advice for the Governor and Captain-General of the Island of *Jamaica* that is to

accompany the said testimony and another for *Tierra Firme*, where it will be forwarded, and copies of the two will be placed in these documents so that the same may appear and in continuation of these proceedings; and on this ordinary paper, there being none stamped.

DIEGO DE LA HAYA.

To the Governor and Captain General of the Island of *Jamaica*.

My dear Sir:

By the copy of the *Royal cédula* of the King, my Master, and the proceedings in continuation thereof, Your Worship will be informed of the number of Indians of both sexes and all ages, who are in your Island, belonging to the provinces of this Government, and who, with their progeny, Your Worship will cause to be forwarded to the city of *Puertobelo*, so that by that route they may go and be restored to these provinces; for this purpose I understand Your Worship has received express orders from His Britannic Majesty, as stated in said *Royal cédula*, and in the Royal name of His Catholic Majesty and as his Minister I claim from Your Worship the due fulfillment of that which I have no doubt you will execute. Be pleased to inform me of the receipt of this letter and also of the measures which you will take in regard thereto, so that I may report it to the King, my Master, in his Royal and Supreme Council of the Indies.

Also, I request the consideration of Your Worship to give the necessary directions to prevent any embarkation from your Island, nor any of the others annexed thereto, destined to go to the Colony of the half-breed *Mosquitos* Indians to trade or to take from them those Indians that they seized on these coasts, and those to the leeward and windward of this province, in exchange for arms, munitions, iron and other things, giving also these things for shell and turtle. They come every summer to carry on this traffic with the *Mosquitos*, who being as they are in Spanish territory are hostile to others of the nation by being helped and protected by the Jamaicans and their allies, for which reason they have refused obedience to my King and Master, to whom I have given an account of this which I state for the at-

tention of Your Worship, in my letter of December fifteenth, one thousand seven hundred and twenty-one.

May God keep Your Worship many years.

Cartago, capital of the Province of *Costa Rica*, October eight, one thousand seven hundred and twenty-two.

I kiss the hand of Your Worship, your greatest servitor.

DIEGO DE LA HAYA.

To Señor Fieldmarshal Don Jerónimo Badillo, Governor and Captain General of *Tierra Firme*.

My dear Sir:

I have received a Royal *cédula* from His Majesty, dated at San Lorenzo el Real, August twenty-three of the past year of 1721, in which he directs that in his Royal name a claim be made upon the Governor of *Jamaica* in relation to the Indians carried away from the provinces of this Government, in order that they may be restored to it; and there being more than two thousand of both sexes and all ages who are held in that island, I forward the enclosed letter, which includes the Royal *cédula* and other proceedings in continuation, so that Your Worship may be pleased to send it registered by one of the ships of the negro trade. I also call the attention of Your Worship that I beg the said Governor to forward the said Indians by way of your Government, in order that they may come here from there, it not being convenient to send them to the Port of *Matina*; and if this is done whatever expense may be made for their subsistence by the Royal Treasury, I am sure His Majesty will approve it.

And I beg Your Worship to advise me of the receipt of this which I send by express on the road overland, there being no vessel that goes sooner from the Port of *Caldera*.¹

May God keep Your Worship many years.

Cartago, October 8, 1722.

I kiss the hand of Your Worship, your greatest servant.

DIEGO DE LA HAYA.

¹The Port of Caldera, in the Bay of Caldera, at the entrance to the Gulf of Nicoya.

Agreed to and copied with the two letters mentioned which are in the file from which I, Don Diego de la Haya Fernández, Governor and Captain General of this province of *Costa Rica* for His Majesty, directed they be taken to forward them to their addresses and to add to the Royal letter; it goes certain and true corrected and compared; to this I certify.

Dated in the city of *Cartago*, on the eighth day of the month of October, one thousand seven hundred and twenty-two.

Passed before me and with the witnesses present, for lack of a notary; and it goes written on ordinary paper, there being none stamped; to this also I certify.

DIEGO DE LA HAYA.

Francisco Javier de Oreamuno. Bernardo Marín.

CARTAGO, October 8, 1722.

On this date I despatched the letters contained in the above testimony, with the royal *cédula* to the Governor of *Jamaica* by way of *Tierra Firme*, with an alderman and other natives of the village of *Boruca*, so that my deputy of said village, Francisco de Aguirre, might receive the said packet and cause it to be sent with express to the officials of *Santiago Alhanje* of the Province of *Veragua*, in order that by that route they may be sent to their addresses.

And that it may appear, I sign it.

HAYA.

CARTAGO, October 13, 1722.

Testimony is taken from this file in order that it may be forwarded to the King, our Master, in his Royal and Supreme Council of the Indies, with opinions, the rough draft being in the file thereof; and it is to be forwarded by way of *Tierra Firme* in the barque of Pedro de Castellanos, which sails from the Port of *Caldera* in this Government to that of *Panama*.

And that it may appear, I sign it.

DIEGO DE LA HAYA.

CARTAGO, March 26, 1723.

Having received this day a letter from Fieldmarshal Don Jerónimo Badillo, Governor and Captain General of the kingdom of

Tierra Firme, being a response and receipt of the packet which I despatched by his hand for the Governor of *Jamaica*, concerning the restitution of the Indians that are in that island, I order the said letter to be added to this file.

HAYA.

My dear Sir :

By the barque of Pedro de Castellanos I received a letter from Your Honor of the 12th ultimo, and according with another received by way of *Veragua*, I must tell you in response to both of these, that the packet which was enclosed in the letter for the Governor of *Jamaica* was at once delivered to the agents of the Royal *asiento* in order that it might be forwarded thereby.

Your Honor informed me, in the letter which I lately received, that you sent with Don Juan Francisco Lisalde (who has since died) some letters for His Majesty, with the purpose of having them forwarded at the first opportunity, and added that Your Honor gives an account to his Royal Person of the events in connection with the *Mosquitos* Indians, and that for the greater success of this business Your Honor requests that there be given to you from this Kingdom the necessary support. As to this I must suggest to you that if for the most important needs of this kingdom the Viceroy of *Peru* has not given the least thing during the whole time of his Government, it will not be possible to attend from here to other urgencies, for we have not the means for our own.¹

I shall be pleased if the King shall arrange means which may help us all, this being the only thing I can now suggest to Your Honor, whom may God keep many years.

Panama, February 11, 1723.

I kiss the hands of Your Honor.

GERMO. BADILLO.

Señor Governor DON DIEGO DE LA HAYA.

¹ It will be seen from these words that for the Captain General of Panama, the fate of the islanders of Tójar and the depopulation of the island are not his own matters but foreign ones, and he so writes to the Governor of Costa Rica. If the island of Cólón (Tójar) had belonged to the jurisdiction of *Tierra Firme*, this Governor lost a good opportunity to exercise it. Note by M. M. de Peralta.

CARTAGO, August 20, 1723.

With testimony from this file and advice of date I gave account to His Majesty by way of *Tierra Firme*.

HAYA.

Royal Cédula to the Governor of Costa Rica, Concerning the Subjugation and Conquest of the Mosquitos Undertaken by Him. Doc. 159

SAN LORENZO EL REAL, November 13, 1722.¹

THE KING.

Don Diego de la Haya, my Governor and Captain General of the Province of *Costa Rica*, in those of *Goathemala*:

By letter of December 15th of the year 1721 last past, you brought to my knowledge the fact that on November 12th of the same year there were subjected and took the oath of obedience to their King and natural lord, the Governor Anníbel, a half-breed of the *Mosquito* race and five hundred and seven men of his followers in the Valley of *Matina*, on the North Coast of this province, and that, the better to strengthen them in their attachment and their loyalty, you have conferred the title of Captain of land and sea, of Governor and Coast-Guard of the coasts of the said valley and of those to the leeward and to the windward and adjacent ones, upon the aforesaid Anníbel, who promised to bring into the said valley, by the 5th of March of the current year, his King Bernabé, the General Pítar and the other chiefs, so that they may make their submission, and that having this enterprise in view you would arrange the presents and other necessary matters. You also at the same time furnished to me a report of all that has transpired in this matter, and advised me, by another letter and another despatch of the said title, that you had informed the President and the Judges of my Audiencia of *Goathemala* of everything that had happened in this affair.

And having seen this letter and upon report by my Council of

¹ General Archives of the Indies. Audiencia of Guatemala. Official registers. Royal Orders directed to the authorities of the district; years 1708 to 1733. Peralta—*Jur. Ter.*, p. 344.

the Indies, and my Attorney General having been heard upon the subject thereof, I have resolved to approve everything that you have done in this matter and to thank you (as I do) for the zeal and the care which you have shown in this enterprise; and I order and command that you pursue it with the same efficiency as up to the present time and as you have displayed therein.

You will inform my President and Judges aforesaid of my Audiencia of *Goathemala* of all that has occurred or that may occur, as well as the condition in which this dependency is found, in order that they may send to you the arms and munitions of which you will have need, because by despatches dated today I direct them to send to you what you shall ask from them and to come to your aid in such an efficient manner that this conquest may be interrupted, for such is my will. Whenever occasion shall present itself you will inform me what you have done and what may have occurred.

Done at San Lorenzo el Real, November 13, 1722.

I, THE KING.

By order of the King, our Master:

DON ANDRÉS DE EL COROBARRUTIA Y SUPIDE.

Signed by the members of the Council.

Doc. 160 Royal Cédula to the Audiencia of Guatemala, Concerning the Subjection and Conquest of the Mosquitos Confided to the Governor of Costa Rica.

SAN LORENZO EL REAL, November 13, 1722.¹

THE KING.

To the President and Judges of my Audiencia which sits in the city of *Santiago*, in the Province of *Guatemala*:

Don Diego de la Haya, Governor and Captain General of the Province of *Costa Rica*, has brought to my knowledge, by letter of the 15th of December of the past year of 1721, the fact that

¹General Archives of the Indies. Audiencia of Guatemala. Official Registers. Royal Orders directed to the authorities of the district. Years 1708 to 1735. Peralta—*Jur. Ter.*, p. 341.

on the 12th of November of the same year there were subjected and took the oath to their King and natural Lord, the Governor Annivel; a half-breed of the *Mosquito* race, eleven captains and 507 men of his followers, in the Valley of *Matina*, on the North coast of that province; and that, in order the better to strengthen them in their attachment and their loyalty, he had delivered a commission as Captain of sea and land, of Governor and Coast-Guard of the shores of the said valley and of those to the leeward and to the windward and adjoining, to the said Annivel, who had promised to bring in the said valley on the 5th of March of the present year, his son Bernavé, the General Pitar and other headmen, so that they might make their submission; that having this undertaking in view he had prepared presents for them and other necessary things; and he informed me also at the same time of everything that had happened concerning this affair, and that by another letter, and another remittance of the said commission, he had advised you of everything that had occurred in this matter.

And this letter and report having been seen by my Council of the Indies and my Attorney General having been heard regarding the contents thereof and considering that by a despatch of this date I have been pleased to send my approval to said Governor of everything that he has done in this affair and to thank him for the zeal and care he has displayed in this enterprise—directing him furthermore to proceed therein with the same efficiency as he has done up to the present time and as he has provided for it—and to inform you what arms and munition he will need therefor, in order that you may forward them to him promptly; and that he shall at the same time communicate to you the condition in which that dependency is found to be, everything that has happened and everything that will be needed for the good of the undertaking:—

It has been my pleasure to inform you of my present resolution and to command you (as I now do) that upon being informed thereof you will aid this Governor with the most prompt and needful measures for the continuation and the success of such subjection, so that there shall be no delay therein, because this which I have so specially commanded you to do is greatly to the

service of God, of myself and for the public welfare of those dominions; and whenever an opportunity presents you will report to me what you have done for the accomplishment of the foregoing.

I advise you that by a despatch of this date I am forwarding my present resolution to the aforesaid Governor of *Costa Rica*, so that he may be informed thereof, and ask you for what he may have need in order to proceed with said conquest, for such is my will.

Done at San Lorenzo el Real, November 13th, 1722.

I, THE KING.

By order of the King, our Master: Don Andrés de Elcorobarutia.

Signed by the members of the Council.

Doc. 161 Report of Don Francisco de Carrandi y Menán, Governor of Costa Rica.

CARTAGO, April 5, 1738.¹

* * * * *

And this may have been because when Don Rodrigo Arias Maldonado y Velasco, Governor of this Province, went to subjugate some Indians in the territories and mountains of *Talamanca*, he and the few men he took with him having been attacked by the Indians, he begged for succor, and was answered by the Municipal Council of that time, not having asked for its permission to undertake that conquest, he had to do his best alone. And for this rebuke and insult, he was recompensed by His Majesty with the title of Marquis and a good rent, which both reverently he despised, because he was already living for God in his Order of Bethlehem, of which he later became General. And the *cédula* of these grants is kept by the City of *Guatemala*, and in the books of this city (*Cartago*) are the determination of the Municipal Council and the report of the dispute. * * *

Cartago, April 5, 1738.

DON FRANCISCO CARRANDI Y MENÁN.

¹ Archives of the Indies. Shelf 65. Compartment 6. Bundle 33. León Fernández, IX, p. 323.

Opinion of the Council of the Indies Concerning the Mosquitos and the English Establishments on Their Coast. Doc. 162

YEAR 1739.¹

COUNCIL OF THE INDIES: July 8, 1739.

On account of the information that has been given by the President of *Guatemala*, in a letter of May 10, 1737, concerning the Treaty of Peace and Commerce which is proposed by the person whom they call the King of the *Mosquitos*, and of two establishments which the English are establishing upon these coasts, there is submitted to Your Majesty the means that should be taken to end the hostilities and avoid the consequences which may ensue from their proximity to the English.

DON FRANCISCO CAMPO DE ARVE.

Registered in the book of Opinions, at folio 19, etc.

RESOLUTION OF HIS MAJESTY.

"As the dislodgement and extermination of those Indians and of the English and other foreigners who sustain them appears to be of so much importance, I rely upon the affection and zeal of the Council in my service, who, issuing the orders that are proposed and taking this affair under their care, with the earnestness and attention which its serious character demands, will undertake to provide whatever means may make it effective without losing sight of it until its complete success has been accomplished, giving me a report of the results; and I have directed that 300 muskets be forwarded in the register of *Honduras*.

Published August 8, 1739: let the orders be executed at once and secretly.

OPINION.

SEÑOR:

In compliance with its duty the Council forwards, for the Royal advice of Your Majesty, the substance of a despatch which it has

¹ General Archives of the Indies at Seville. Shelf 65. Compartment 6. Bundle 33. Peralta—*Costa Rica y Costa de Mosquitos*, p. 98.

just seen, and under the ridiculous superscription of which it finds such a combination of circumstances that it considers it to be one of the most serious matters that the Monarchy now has pending.

This is a despatch in which the President of *Guatemala* reports that the King of the *Mosquitos* had sent one of his subjects with letters proposing to negotiate a treaty of peace and commerce with Your Majesty and your vassals of these neighboring dominions.

But with the following succinct narration of the whole case the importance of the matter will be understood; it is more fully set forth in the annexed summary which was made in the year 1718, and which contains later advices.

These people owe their appellation and origin to the Island of *Mosquitos* where, in the year 1641, a vessel arrived laden with negroes. Those who came in it planned their freedom and preservation by the impious means of abusing the poor Indians, capturing as many as they could in order to sell as many of the men as they could for slaves, keeping the women for breeding purposes; thus they considerably increased in number and as they have grown in strength, they have continued their hostilities.

According to reports from the President and others, they occupy at the present time more than sixty leagues of land extending from the jurisdiction of *Comayagua* as far as that of *Costa Rica*, of the dominions of Your Majesty adjoining the coasts of the North Sea, their territory being in width only three leagues of productive and habitable land extending up to the slope of the mountains that separate them from the dominions of Your Majesty. These mountains, being so rough and impenetrable, the *Zambos* have not yet been able to overcome them although, on the other hand, this does not protect your vassals, for by navigating various rivers, which they enter through their bays, they have been easily successful in their attacks.

In those sixty leagues they have established for their dwelling places 24 settlements or hamlets; and, careful for their safety, they build in all of them separate dwellings, so that the extended arrangement of each prevents the possibility of surrounding all of them, and thus they are left in a situation to help those who may be attacked at one point or another, and in case their strength

is not sufficient many of them will be free to take refuge in the mountains.

But they do not rely for their preservation upon this measure of protection alone. They arrange to give notice of any suspicious armed force by the discharge of a cannon which they keep at the entrance to their territory; and they also seek and obtain news of the movements of Spaniards by means of their allies, the rebellious Indians of the country, who not only help them but give them news also, so that they have a better chance to succeed.

Their most notable construction is the fort they have in the principal settlement where he lives whom they call King. It is surrounded with a regular wall and with a deep ditch; this is covered on the surface with such art that it appears to be solid ground like the rest, and whoever steps upon the false covering falls helplessly into the ditch; and it has only two entrances of solid earth, which being in appearance the same as the covering of the ditch, can only be made use of by those who are familiar with them.

By the last and most reliable news that has been received, the *Mosquitos* number two thousand men who bear arms. They also have among them some Spaniards, French, English, apostate Indians and fugitive slaves, their territory being a general asylum for all the scoundrels who flee from justice; and they make use of these in their invasions, not only taking their advice where it will be most useful, but also carrying them along as guides in the localities with which they are unfamiliar, observing however the precaution of not permitting the mercenaries to have any part whatever in the interior administration of their country.

All of these *Mosquito Zambos* are clever in the use of weapons and are provided with an abundance of firearms, as are also the white persons who use them there, for they all get them from the English of *Jamaica* in exchange for turtles and shell and other products which they steal from the Spaniards; and they also have an abundant supply of small boats which they use in making their incursions.

These barbarous *Mosquitos* infest and attack the provinces of *Comayagua*, *Costa Rica*, *Nicaragua*, *La Segovia* and *Chontales*, plundering the villages and farms, carrying away their cattle, cap-

turing Indians, whom they sell to the English for work on their plantations, and there has even been an instance in which they carried off all the inhabitants of a village. They also attack and rob the trading vessels in these regions, so that commerce is prevented; and indeed there is no one who can live or trade in the regions that are subject to their attacks.

The care of the Council is growing on account of these enemies, because, comparing the last news of their number with the former they are found to have considerably increased; and not only have they a chief whom they obey (a circumstance that ought to make any rebellion more serious) but they have the boldness to call him a King and demand that Your Majesty shall recognize him as such in a treaty of peace and commerce, which unheard of, insolent audacity leads us to suspect that it does not come from them alone.

This presumption becomes probable, and increases more than ever the fears of greater danger which threatens when it is noted that these barbarous *Mosquitos* are intimate and in league with the English of *Jamaica*, of *New England* and other settlements of English round about, who carry on trade and who cut log-wood on the *River Valis*, not only by reason of their frequent commerce and their furnishing of arms as has been already mentioned, but by other noteworthy circumstances; one of these is that the letter which was brought by their emissary came written in the English language, and even its context denotes that it was not dictated by one of the barbarous *Mosquitos*; this will be seen by the translation which reads as follows:²

"September 20, 1736.

"SIR:

"I have come here by order of my Master, the King of the *Mosquitos*, in order to arrange for full friendship with His Catholic Majesty, hoping that this consideration will be accepted and that we shall be permitted to trade in the Port of *Trujillo*, without being molested; this will be agreed upon by means of the following articles:

² Translation from the Spanish text; the original text not given. Translator.

"Firstly, that we may trade in the Port of *Trujillo* for cattle, horses, tobacco and other supplies of which we have need.

"That in case any vassals of His Majesty, the King of the *Mosquitos*, shall need to visit this or any other of these ports in the dominions of His Majesty, they are to be, and shall be received as friends, as the vassals of His Catholic Majesty will be received at any of the ports in the dominions of the King of the *Mosquitos*.

"For this formality my Master, the King of the *Mosquitos*, has fixed upon the next Christmas day, the 25th of December, for sending his general and other officials to discuss what is mentioned in the above articles.

"Signed by order of our Master, the King of the *Mosquitos*."

The subordination of these savages to the English is made more evident and important by the knowledge of their method of selecting their King, who is not hereditary: When the one they hold as such dies, the head men of the *Mosquitos* go in their boats to *Jamaica*, the Governor of which gives the staff of office to the *Mosquito* that he wishes among those who are submitted to him by those headmen; and immediately the one who has received the staff is acclaimed as King and as such is obeyed during his life. It can not be doubted, therefore, that these enemies are always subject to the will of the English for whatever service the latter may require of them.

However, from what has been said the deplorable consequences that may be feared, unless prompt measures are taken against these *Mosquito Zambos*, become sufficiently manifest. Reference should also be made to the most serious thing that has happened in the affair, the first news of which arrived with that of the proposed arrangement for peace, and this is that which is contained in the following paragraph of a letter from the President of *Guatemala* of May 10, 1737:

"At a distance of more than sixty leagues to the East of the Cape named *Tres Puntas* (Three Points), which forms the port of *Santo Thomás de Castilla*, where the vessels of *Honduras* registry anchor, lies the port of *Caballos*, that of *Omoa*, that of *Sal*, the rivers of *Hulúa* and *Chamelecón*, the port of *Platanal*, that of *Triunfo de la Cruz* and that of *Trujillo*, which is formed by

the *Point of Castile*; all are depopulated and are used only for shelter by foreign vessels which carry on contraband commerce on those coasts, for, although guards are maintained at some places in order to notify the villages of *San Pedro de Ursula*, *Yoro*, *Olancho* and *Olanchito* of what happens on the coast, still, as it is all depopulated, only those go there who are looking for something new in order to get some profit out of that commerce. At seventeen leagues to the East of *Trujillo* a settlement of English has been re-established, the inhabitants of which do not reach fifty, with as many more with the slaves and domestics; and at a distance of five leagues in the same direction is found another settlement of the same nation, less numerous than the preceding, which is called *Blacriva*³; and the settlers of both are outlaws who can only live in the sections mentioned by the alliance that they have made with the *Mosquito Zambos*, who are located from the last English settlements referred to as far as *Cape Gracias á Dios* and *River Matina*, a distance of sixty leagues, etc."

Indeed, Señor, by this fact the menace of this evil is greatly increased. With the English settled in the dominions of Your Majesty on the continent and main land in the Kingdom of *Guatemala* and all of its provinces, and being the immediate neighbors of their allies, the *Mosquitos* (who by themselves alone have given so much trouble), and being close to *Jamaica*, *New England* and other English settlements, a situation is created so dangerous that it calls for a radical remedy; a very real danger threatens from delay.

They say that these settlers are outlaws; but they are English, and it would not be presuming too much to believe that they were sent by their government, but they may be outlaws nevertheless; how many islands are now lost to the Crown in America, which at the beginning of its occupation were inhabited only by outlaws and pirates, and which, afterward, their inhabitants fearful of being exterminated, were brought under the dominion of another prince. The recovery of these islands has not been obtained, neither in war nor in peace; this menace, then, becomes all the more grave when the enemy goes from taking an island to locating upon the continent.

³ *Blacriva*—"Black River" (Rio Tinto).

And so, possessed by these well-founded fears, when it was found that some Scotch had settled and fortified a place called *Calidonia*, on the coast of *Dariel*, measures were taken in the year 1697 to drive them away. These measures were planned most efficaciously and without regard to expense; from *Cádiz* eight war ships were sent out with many troops for landing; the Governors of *Panama* and *Cartagena* were to assist by themselves and with the troops which they could send and with the fleet that was then in *Cartagena*; the same was to come from *Vera Cruz* and *Barlovento*; the Viceroys of *Peru* and *New Spain* were to assist with troops and all that was needed, and if it were necessary the Viceroy of *Peru* himself was to participate in the undertaking. The measures were carried out under the direction of the Governor of *Cartagena*, Don Juan Pimienta, and happily proved successful.

It may be said that this settlement of Scotch was less dangerous than those of the English of which we have spoken, for although it is true that the Scotch were on the same continent with the provinces of *Tierra Firme*, it is also true that they could not penetrate into it on account of the roughness of the mountains and the savage Indians therein; but in the case of the present settlements, from the situation shown by the letter of the President it may be seen how easily they can reach the interior, take possession of so many ports and ruin that domain.

The Council, moved only by the news of the robberies committed by the *Mosquito Zambos*, and the fact that they were trading and receiving arms from the English, asked for reports from the Viceroy of *New Spain* as to the best means and the cost of preventing these damages, and these requests were repeated, seeing that there was no response to the first. With the strongest reasons the Council will appreciate the reports of the new Viceroy who has been appointed by Your Majesty, not only for what is due to him for his worthy conduct in the confidence of Your Majesty, but because his military profession, in which he stands so high, will give more value to his choice of the means to this important end.

But the Council fears that much is risked by awaiting his opinion; the grave affairs in which he has been engaged since his ar-

rival must occupy much of his time, and those which are immediately before him will always have preference over those at a distance. It considers also that, in order to form a prudent opinion, it must be upon the report of the President of *Guatemala* and other persons familiar with the country under discussion, and as the Council already has all these things before it, nothing seems to be lacking in order to reach a determination.

Add to this the fortunate fact that the present President of *Guatemala*, Don Pedro de Rivera, is a person worthy of the highest confidence, skilled in military science and in the navigation of American waters, zealous and disinterested, and experienced in economy for the Royal Treasury, as he showed by the general inspection that he made before his presidency, and it will be found that the best ground exists for arranging at once for action, and that region possesses the man needed to rely upon; for this reason the Council has proceeded to examine the measures that are suggested by order of the President—practical ones which, in view of everything, he recommends.

Various methods are proposed to subdue the *Mosquitos*, by sea and land; but the difficulty of succeeding is at once apparent, especially by land, for, it being impossible to invade at one time all of the sixty leagues, it is inevitable that all those who are not attacked, when they see that they can not help their companions, will seek an asylum in the mountains, and there is no doubt but that these will be the greater number; and these, when the troops have withdrawn, as will eventually be necessary, will return to their lands. Almost the same thing will follow if they are pursued by sea, and consequently what will be accomplished will not be worth the expenditure that will be required.

More prudent and better proportioned, because of smaller cost, are, in the opinion of the Council, the means proposed by the President, Don Pedro de Rivera. He appreciates the difficulty of destroying these enemies at once with force of arms, and thinks that success will be surer with a smaller force, if it is continuously active and permanent. For this he proposes a frigate of twenty cannons, manned with 150 men and the officers to command them, in order to serve as coast-guards, cruising between the Cape of *Tres Puntas* and that of *Gracias á Dios*, to harass

the commerce which the English carry on from *Jamaica* with them and prevent the communication maintained by the *Mosquito Zambos* with the English.

In order to invade the settlements of the *Mosquitos*, it is proposed to construct two galleys with sixteen oars on a side, three guns amidships, of a calibre suitable for their size, which can navigate in very shallow water in order to enter the rivers which the *Zambos* navigate with their canoes in going out to sea; and with men on the galleys to make landings when the opportunity offers, the *Mosquitos* may be surprized by them in their very settlements; and care should be taken that the two settlements that have been mentioned, which are English, shall be the first to be attacked, since these are the ones that have stirred up the *Mosquitos* the most and threaten the most injury.

And in order that those provinces may have some protection and also in order that they shall not be so much exposed to the English making locations upon their coasts, as they have already done, it is deemed best that there be established two garrisons, of fifty soldiers in each company, with their officers; that one shall be placed at the mouth of the *River Matina*, where a fort should be built as a guard for the garrison and defense of the Province of *Costa Rica*, which is most often attacked by these enemies.

A like garrison should be placed at the port of *Trujillo*, both as a bulwark for the Province of *Comayagua* and to serve as an anchorage for the coast-guard vessels when desired; and with these two garrisons it is hoped that those coasts may be settled; at present they are deserted for fear of the frequent invasions of the enemies.

For the expense of those forces the same President proposes that the Royal Collection Offices there shall contribute for the support of the two companies; but that of the frigate and the two galleys it will be necessary for *Mexico* to provide, since *Guatemala* cannot provide so much. And he says that the three vessels should be built at *Campeche*.

This President expects that by cutting off the *Mosquitos* from communication with the English the best means will be found for driving them away; and with reason, for since the latter pro-

vide them with arms, munitions and other supplies that they need, the lack of all these will compel them to surrender; especially will this be true if they find themselves beaten with the surprise of some of their settlements.

He thinks that with this same armament another important end will be attained, and this is that the repression of foreign commerce which is carried on upon those coasts, the natural trade with *Campeche* and *Habana* will be re-established; this is now entirely suspended on account of the injuries it has experienced from the *Mosquitos* and the *English*.

So far as regards the undertaking there seems at a distance to be no doubt that this is the best means and that it gives better promise of help and relief from these evils than a force of troops and vessels; but the success of any plan, however good, depends upon its being well and promptly carried out.

The Council is of opinion that the said plan as proposed by Don Pedro de Rivera should be at once executed; that for this work Your Majesty should command the Viceroy of *New Spain* to assist immediately with the means for constructing and maintaining the vessels mentioned, and even for some further aid if it shall be required, the expenditure involved to be given preference to everything else that may occur; and the means whatever they be to be provided quickly, and the Viceroy to be furnished copies of the papers which instruct him in this business;

That suitable despatches should be issued to the President of *Guatemala*, telling him that his plan is approved and directing that it be carried out, and advising him of the order to the Viceroy of *New Spain* to furnish the means for the marine equipment and some other things if needed;

That authority be given him to take from the Royal Treasuries under his charge what is needed for two companies and a fort at the mouth of the *River Matina*.

That he be also directed to leave the capital and go to that region which he may find most suitable for the perfecting of all his arrangements;

That he also be given authority to appoint the officials who shall be most satisfactory to command the frigate and galleys and the two companies, and that to all of these he shall give in-

structions as to what they are to do, not only for the present enterprise, but also for the continuation of the work and the prevention of contraband trade, a report being made of those appointed and their circumstances, so that Your Majesty may approve the same;

That if anything is needed which can be supplied by the Governors of *Havana* and *Campeche*, he may ask for it; and that to this end the appropriate orders be given to both;

That he shall use the greatest vigilance and make every effort to begin this enterprize by a total destruction of the two settlements which the English have made, embarking, if it shall be required, more troops than the frigate and galleys can carry; and that it shall not be undertaken without a prudent assurance of succeeding in it, since the threat without success will only serve to warn them so that they can fortify themselves, which would make the execution of the plans more difficult; and that nothing be undertaken which cannot be accomplished, arranging here and there what is needed to have ready before letting the plan be known;

That he be charged to take most kindly and effective measures to establish friendly and mutual relations with the Indians of the country and others who may be neighboring and allied with the *Mosquitos* so that he may succeed in taking away from them that refuge.

And he should be advised of the confidence with which Your Majesty entrusts to his direction this important enterprize and believes that he will undertake it with the greatest zeal and activity.

Although it seems that for all this, and especially for the destruction of the settlements of the English, it would be very desirable to send some troops, the Council does not recommend it to Your Majesty in view of the increased expense and that the President asks only that some arms be sent, as there is a lack of them, which may be supplied from those in *Honduras*.

Considering the serious character of this affair and that it should be promptly and quickly executed, the Council has taken into consideration the advanced age of the President and the fact that the contingencies of life are such that he may have died

when these despatches shall have arrived; and so in order to avoid the dangers that would be caused by delay in the arrival of such advices and the selection of another person, and having at hand one whose conduct is recommended, Don Manuel de Salcedo, Governor of *Campeche* (who being so near should be familiar with the matter), is of the opinion that Your Majesty should direct that if, upon the arrival of the despatches, President Don Pedro de Rivera shall have died, they shall be delivered to the Governor of *Campeche*, Don Manuel de Salcedo, so that he may undertake and carry out the same, issuing a separate despatch in which it shall be so ordered, with a transfer to him of the directions to President Don Pedro de Rivera advising him that he shall carry out the same idea that was proposed by Don Pedro de Rivera; and Your Majesty should command that this Commission which is given to Don Manuel de Salcedo shall be understood not only in case Don Pedro de Rivera shall be taken away before it is begun, but also to take it up if he has begun it without being able to finish it; and that in that case that Don Manuel de Salcedo is to take the same command and continue until the conclusion of what Don Pedro de Rivera began. And if it should happen that Don Manuel de Salcedo does take command of the enterprise, as arrangements must be made in provinces which are not under his command, obstructions may be placed in his way which will retard its execution and endanger its success, wherefore the Council deems it necessary that Your Majesty should direct separate despatches to issue, one for the then President of *Guatemala*, another for that Audiencia, and another for the Royal officials, ordering them all to cooperate to the same end, preparing and causing to be prepared with promptness everything that Don Manuel de Salcedo shall ask for this enterprise, requiring that his orders shall be promptly obeyed by all to whom it may be necessary to give them, and furnishing any troops asked for in preference to any other disposition thereof; and that one and all shall execute and cause them to be executed thus, notwithstanding any reasons that may appear contrary thereto, it being understood by everyone that the contrary will incur the displeasure of Your Majesty, while the most prompt and effective aid and assistance will be for his Royal service.

The Council does not advise Your Majesty to send any official communications to your Minister in London complaining of these settlements of English and demanding the return of the Spaniards and Indians whom they bought from the *Mosquitos* and hold as slaves in *Jamaica* and *New England*, for it considers that this step would be not only useless but prejudicial; because if the English are in a state of indifference they will give a response which will hold out a hope of adjustment at some future time, and this will never be fulfilled, and, on the other hand, if the situation is changed into that of declared enemies, as may happen, the notice may be used for their hostile purposes, since their subjects are settled upon, and therefore familiar with, the coasts of Your Majesty which are undefended, which possibility is in itself a still stronger appeal for the early execution of what the Council has proposed, etc.

May Your Majesty determine what shall be best for your Royal pleasure. Madrid.

Real Cédula to the President of the Audiencia of Panama, Concerning the Re-establishment of the Viceroyalty of Santa Fé or of the New Kingdom of Granada. Doc. 163

SAN ILDEFONSO, August 20, 1739.¹

THE KING.

Don Dionisio Martínez de la Vega, Governor and Captain General of the Province of *Tierra Firme* and President of my Royal Audiencia therein:

Having considered it desirable in the year 1717 to establish a Viceroyalty in the city of *Santa Fé* of the *New Kingdom of Granada*, with other provinces added, I deemed it best for my service to abolish it in the year 1723, leaving matters in the state in which they were before its creation.

¹ Archives of the Indies. Audencia of Santa Fé. Registers. (*Reales nombramientos é instrucciones para los Virreyes*). Years 1737 to 1817. Peralta—*Costa Rica y Colombia*, p. 147.

But afterwards there was experienced great decadence in those valuable dominions, which is all the time increasing; this has been represented to me by various communities of the district thereof in petitions requesting me to again establish the Viceroyalty so that, with more ample powers at its command, that Government could secure better order and thus strengthen the discouraged spirits of my subjects and enable them to resume the extraction of its precious minerals and abundant products, and prevent what is still producing from passing into the hands of foreigners, as is happening to the serious prejudice of the Crown;

All of which having been seen and understood, with other reports which I have had concerning the matter, above all the opinion rendered by my Council of the Indies, I have deemed it well and I have resolved to establish anew the Viceroyalty of the *New Kingdom of Granada* and have appointed therefor the Lieutenant General Don Sebastián de Ezeava, Knight of the Order of Santiago and Lieutenant of *Ayo* of the *infante* Don Philip, my very dear and beloved son, being also President of my Royal Audiencia of the city of *Santa Fé* in said *New Kingdom of Granada* and Governor and Captain General of the jurisdiction thereof and provinces that have been added thereto, which are:

That of *Panama*, with the territory of its Captaincy General and Audiencia, that is to say those of *Portobelo*, *Veragua* and *Darién*; those of *Chocó*, *Kingdom of Quito*, *Popayán* and *Guayaquil*; Provinces of *Cartagena*, *Río del Hacha*, *Maracaibo*, *Caracas*, *Cumaná*, *Antioquia*, *Guyana* and *River Orinoco*, Islands of *Trinidad* and *Margarita*, with all the cities, towns and places, and the ports, bays, anchorages, inlets and the rest thereto appurtenant, on both seas and main land; the Audiencias of *Panama* and *Quito* to continue and subsist as they are, with the same subordination and dependence from this Viceroy as the others have that are subordinated to the Viceroyalties of *Peru* and *Mexico* with regard to their respective Viceroys; and that notwithstanding the separation of your *Audiencia* and Province from that Viceroyalty of *Lima* and its addition to that of *Santa Fé*, the Viceroy of *Peru* is to continue to remit (as he has been commanded to do by a despatch of this date) the allowance as heretofore, you

and your successors to be notified that, if any important occasion should arise in my service which should require a larger amount than the regular and ordinary allowance, you must, before asking for it from the Viceroy of *Lima*, give an account thereof and of the reasons therefore to that of *Santa Fé*, for only in case of his prior approval has the Viceroy of *Lima* orders to allow it, and in no other manner.

I have also resolved that there shall be three General Commanders who, although they shall be subject to the said Viceroy of *Santa Fé*, shall have superiority in respect to the others, you being the one whom I select for General Commander of *Portobelo*, *Darién*, *Veragua* and *Guayaquil*, the Governor of *Cartagena* being my selection for *Santa Marta* and *Río del Hacha*, and the Governor of *Caracas* for *Maracaibo*, *Cumaná*, *Guyana*, *Río Orinoco*, *Trinidad* and *Margarita*; and that the supremacy of these *Comandancias* shall carry with it the duty to oversee the operations with which the subordinates are charged, in the matter of inward and outward contraband trade; and if you have news of any disorder you are to proceed to investigate it, with the power that if in doing so, and for the better ascertainment of the truth, you shall find the Governor or Deputy present where the fraud is committed and that the investigation that is being made is a hindrance, you can compel them to go away and to depart from the village or territory to a sufficient distance, so that they cannot embarrass or hinder the investigation; and when the proceedings are finished you shall forward them to the aforesaid Viceroy of *Santa Fé*, so that, having them before him, he may provide what is most desirable until the final determination which must be reached under his superior powers; but if, according to the proceedings you have instituted, it shall be found by you, in agreement with the Assessor, that such Governor or Deputy whom you may have sent away from his residence is not culpable, then you shall permit him to return to where he was, without awaiting the order of the Viceroy;

That in the exercise of the Royal patronage there is to be no change; but those are to continue in the enjoyment thereof who have heretofore been enjoying it, and the Viceroy of *Santa Fé* is to enjoy only what the President of that Audiencia previously enjoyed;

That the contested cases in the district of this new Viceroyalty are to continue in the same Audiencias of the districts where they were being conducted before, and those of the whole Province of *Caracas* in the Audiencia of *Santo Domingo* in order that they take special cognizance of them, except in those cases which, as governmental, are begun before the Viceroy, since in these, if there is a decision and an appeal is taken, it must be to the Royal Audiencia of the city of *Santa Fé*, and to none other, although the matter may be one from a province which should, if the case was a litigated one, belong to another Audiencia, as is established concerning matters in the territory of the Audiencia of *Guadalajara*; for notwithstanding the latter has special cognizance of all the litigated cases in its district, as well as those relating to its government, they belong to the Viceroy of *New Spain*; and if some that are decided as governmental become litigated, they are not to go back in case of appeal to the Audiencia of *Guadalajara*, but shall proceed in that of *Mexico*;

That the Royal finances of *Santa Fé* shall be general and inclusive of all my Royal Treasury for the territory mentioned which I add to this Viceroyalty, and all the Royal officials of all the subordinate provinces therein are to give their accounts thereto, it being understood that this is to be from the beginning of the year in which the Viceroy takes possession, said accounts up to that time to be given to those that have theretofore received them, and as regards the forwarding of these to the *Contaduría* (accounting office) of the Council, what has recently been directed by general regulation for the whole kingdom of *Peru* shall be observed;

That the subordinate tribunals of accounts are to forward to that of *Santa Fé* certified copies of the papers, together with my special orders and Royal *cédulas*, which they may have for the government and regulation of my Royal Treasury and what is appurtenant thereto, and the same shall be done by the tribunal of accounts of *Lima*, which now is the superior, as to those which it may have belonging to the territory of the new Viceroyalty.

And lastly, I have resolved that while heretofore the deputies have been appointed by the Presidents and Governors, hereafter none of them shall be appointed by the latter; such appointments are to be made only by the aforesaid Viceroy, as is understood.

And I especially recommend to you that in the regulation of the assembling of galleons which is held at *Portobelo* no change shall be made which can in any way disturb the order provided by despatches and *cédulas* for its direction, which you should adjust, and therewith nothing shall change the subordination which before was to one Viceroy² and now is to another, of which that of *Santa Fé* will be advised, so that if there should be any recourse it may be proceeded with as that of *Lima* would and ought to proceed; and whatever matter the Viceroy of *Lima* arranges with those engaged in that commerce, you shall observe it as if you were still under his command.

And I command you to continue in correspondence with the Viceroy of *Lima* as heretofore, forwarding to him all the news that may come to you, because with it he may be able to better administer his territory and take the proper measures.

Of all of the foregoing I have desired that you shall be notified so that you may comply on your part with what has been stated, and understanding what I have thus established, ordered and commanded, you may keep and comply therewith; and that you shall recognise and obey the said my Viceroy of the *New Kingdom of Granada*, as subject in everything and for everything, notwithstanding any laws, ordinances, my special *cédulas*, commissions, pre-eminencies of your position, clauses of your titles or any other thing that may be contrary thereto, which, in so far as they may be in opposition to the said new establishment, I hereby abolish and annul, leaving them in their force and effect in everything that shall not be contrary thereto; and such is my will.

Given in San Ildefonso, August 20, 1737.

I, THE KING.

By command of the King, our Master:

DON MIGUEL DE VILLANUEVA.

²To the Viceroy of *Peru*, under whose high jurisdiction the Province of *Panama* or *Tierra Firme* was placed from the year of 1542.

Doc. 164 Royal Cédula to the President of the Audiencia of Guatemala, Approving the Steps he Took for the Subjection of the Indians of Talamanca and Giving Him a Commission to Install a Corregidor in the District of Boruca.

ARANJUEZ, May 24, 1740.¹

THE KING.

Field Marshal, Don Pedro de Rivera, my Governor and Captain General of the Province of *Guatemala* and President of my Royal Audiencia of the City of *Santiago* thereof:

In a letter of November 15, 1737, you reported that in compliance with what I commanded you to report in my *cédula* of May 22, 1735, concerning the state and progress of the Missions of that Kingdom, you had asked for a report from the Governor of *Costa Rica* of the condition in which those provinces were found: that the latter had done so, stating that they were stationary and that those of the mountains of *Talamanca*, of *his jurisdiction* had made no progress from the year 1710, for although there was some progress a few years before, it was left imperfect, and that many of the heathen Indians who lived there, dispersed and frightened by the half-breed *Mosquitos*, departed to the village of *Atirro*, causing more trouble, there being no spiritual pastor who might with charity protect them, wherefore large and small died without baptism, and the Christian policy and doctrine was left weakened and the subjected villages of *Boruca*, *Téjaba* (*Térraba*) and *Quepo* deteriorated; that in substance these conditions were the same of which you had already given me an account, with proceedings which you did not forward; you only brought to my Royal consideration the fact of the decadence of these subject peoples, demanding a prompt remedy for lack of spiritual helpers, and, complying with what I have directed in this matter, you had made a request and recommendation to the Provincial or San Francisco of the Province of San Jorge of *Nicaragua* for the said purpose, with the *provisiones* desirable for the better reestablishment of the said subject vil-

¹ Audiencia of Guatemala. Official Registers. Royal Orders directed to the authorities of the district (*Reales órdenes dirigidas á las autoridades del distrito*). Years 1739 to 1750. Peralta—*C. R. y Col.*, p. 152.

lages in charge of that province; and that the Indians were taught in the Holy Faith, attracted and preserved in peace and charity, so that, seeing the protection and good treatment of those already subjected in greater number, those who were in the mountains were favorably disposed and came in of their own will.

That the said Governor stated to you that he would examine into the sources from which they could easily pay some tribute, and, being skillful for your profit and in the industries of cotton and *pita*,² you said that it seemed to you, provided I thus directed, that it would be desirable not to require more than a moderate acknowledgement of vassalage, like that which had been imposed upon the Indians of *Boruca*, which was reduced to 28,000 cacao beans that they paid every year and which was paid at three and a half to four *reales* for each 1,000; for the said neighboring Indians, being settled close to the mountains where those wild Indians live with whom they communicate, it was to be feared that if the impost exceeded a small acknowledgement they would withdraw or attempt some other course that would be of serious detriment to their subjection; and because the said contribution of cacao compelled them to go and search for it in the mountains of the interior, not having it in their own lands, or if they gathered any it was of bad quality, you stated that they could commute this product with *pita*, which was very abundant and easily profitable, and that this would result in greater benefit to my Royal Treasury when sold at four *reales* per pound. And you said that the said Governor also proposed to you that it would be well to locate in the district of *Boruca* a Deputy-Governor who should administer justice, and for him you gave dispositions; and on this point you stated that you were informed that the village of *Boruca* was distant from the city of *Cartago*, the capital of *Costa Rica*, eighty leagues, and that near it there was another village called *San Francisco de Téjaba*, the first settled ninety years ago and the second thirty-seven, the two being composed of more than 800 Indians; that they gather crops of cotton from which they make cloth, and of *pita* which they spin; that they are found located in the midst of *Tierra Firme* and *Costa Rica*, without there being any other settlement in that re-

² *Bromelia Pinguin.*

gion, for although there was the village of *Quepo*, it had a very small number of Indians. This territory, you said, was useful for its fertility, and had ports on the South which communicated not only with the city of *Panama* but with that of *Caldera*; and that the said district of *Boruca*, being on the Royal highway that went from *Costa Rica* to *Panama*, of the Kingdom of *Tierra Firme*, by which were taken the mules for the traders, in which I had established rights, it appeared to you very important that I should appoint a *corregidor* in the aforesaid villages of *Boruca*, *Téjaba* and *Quepo*, with a salary of 250 pesos per annum, the same amount which was paid to the one in *Subtiaba* in *Nicaragua*; for though its allowance presented difficulty on account of the small amount of funds in the treasury there and in *Costa Rica*, this measure could be facilitated by an arrangement of my Royal Treasury in that administration, reducing the salary of 2,757 pesos, 2 reales and 28 maravedís which the Governor of *Costa Rica* had, it being sufficient to leave him 2,507 pesos, 2 reales and 28 maravedís, in view of the current low prices for supplies in that province and the small salaries which, notwithstanding the higher prices of supplies, are paid to the Governors of *Nicaragua* and *Comayaqua* respectively; and that, having regard to the distance of eighty leagues between the said villages and the Capital of *Costa Rica*, it was necessary that there should be in that district a person who should govern it, both in political and religious matters, as well as in those relating to civil and criminal proceedings, and maintain justice in those subjections, whose increase, conservation and protection were properly the care of *corregidores*, and see that there was no fraud in the collection of my Royal duties, and afford protection to travellers and traders; all of which you brought to my Royal knowledge, to the end that concerning the aforesaid points there should be commanded, as might be my Royal pleasure.

Wherefore the aforesaid letter having been considered in my Council of the Indies, with the statement of the Fiscal, and I having been consulted concerning it on the 12th of October of the past year, I have resolved to approve the measures that you took in order that there should be installed in the district of *Boruca* a Deputy Governor, who should administer justice and in order that the Provincial of San Francisco, of the Province of

Nicaragua, should send evangelical workers to the said subjections of the mountains of *Talamanca*; and you are charged to encourage their development and show toward the Indians that good treatment which I have commanded by so many repeated orders.

And considering that those in the aforesaid subjections of the mountains of *Talamanca* ought to make contributions, much more than the ten years having passed for which they were exempted from said Indians under Law 3, Book 6, Title 5, which provided that infidel Indians subjected to Our Holy Faith need not pay tribute within the ten years mentioned, I have deemed it well that the contribution of these Indians, like those of *Boruca*, be made as you suggest, in *pita*, notwithstanding it is very moderate; and both to serve as a greater incentive and causing you to exercise greater firmness, I declare that its payment shall not be begun until the period of four years has elapsed, to be counted from the day on which you shall receive this despatch.

And as regards my appointment of a *corregidor* for the district of *Boruca* with a salary of 250 pesos per annum, in view of the circumstances and the situation of that region, and that the allowance of the said salary can be deducted from that which the Governor of *Costa Rica* enjoys—you deeming it a large one in comparison with those paid to the other Governors of that Kingdom—I have decided also that a *corregidor* shall be installed in the said district of *Boruca* for the reasons and desirable purposes stated, according and as you suggest, giving to you a commission (as by these presents I do) in order that being acquainted with the person who is required you shall select and install the one you shall find to be suitable; but notifying you that this measure is to take effect from the time that the Governor is installed who first succeeds to the one who is now serving in *Costa Rica*, giving to me a report of what you shall do in the execution of this matter for its approval; all of which is my will.

Dated at Aranjuez, May 24, 1740.

I, THE KING.

By command of the King, our Master,

D. FERNANDO TRIVIÑO.

Doc. 165 Royal Cédula to the Governor of Costa Rica, Approving
His Conduct in the Defense of the Port of Matina.

SAN ILDEFONSO, October 31, 1742.¹

THE KING.

To the Governor and Captain General of the Province of
Costa Rica:

Don Pedro de Rivera, Governor and Captain General of the provinces of *Guatemala*, has brought to my knowledge by letter of November 27, 1740, the fact that, following the arrival at the port of *Matina* of an English sloop which was keeping up hostilities in that province, you had taken, in order to repress them, the fortunate measures related in the file which accompanies this letter. My Council of the Indies having taken it under consideration, as well as the report of the Attorney General on this subject, the examination of the file aforesaid shows that the measures taken by you for the security and defense of that province were very well organized and very suitable in order to avoid the danger by which it was threatened by the approach of the English; that you have done, you and all the inhabitants of that city, everything that was in your power to ward off any invasion or hostile act which might be attempted;

That each of its inhabitants offered to contribute to the expenses and to furnish the provisions necessary for repulsing such invasion; and it has been deemed proper to inform you (as I now do) that everything which you did on that occasion has merited my Royal approval and my gratitude.

I thank you and charge you to thank all the inhabitants in my Royal name for the zeal, the love and fidelity which they showed in this affair for my Royal service, and to let them know that I expect that they will do the same in all others which may arise

¹ General Archives of the Indies. Audiencia of Guatemala. Official Registers. Royal orders addressed to the authorities of the district Years 1739 to 1750. Peralta—*Jur. Ter.*, p. 355.

in the future and which shall have for their purpose the security and defense of that province.

Done at San Ildefonso, the thirty-first of October, 1742.

I, THE KING.

By order of the King, our Master:

FERNANDO TRIVIÑO

Notes by the Captain General of Guatemala Suggesting Means for the Expulsion of the Mosquitos Doc. 166

GUATEMALA, November 23, 1742.¹

Don Pedro de Rivera, Fieldmarshal of the Royal Army and Inspector General of the garrisons of the provinces of the interior of *New Spain*:

His Majesty, desiring that the *Zambos Mosquitos* should be expelled, ordered by his Royal *cédula* of August 30, 1739, that this purpose ought to be put into practice as soon as everything should be ready for its execution; but it has not been possible to accomplish it on account of the war.

And His Majesty, in order that the war which is so necessary should be waged against those enemies, with knowledge of their territory, has ordered me, by Royal *cédula* of February 28 of the present year, that I shall send all the information that I may have which will be useful for the better success of such an important undertaking. And in compliance thereto, I will write some notes about the information I have acquired on the subject which may be used as directions for the operations prescribed by the Royal *cédula* of February 28 already cited.

By reason of the reports received concerning the hostilities carried on by the *Zambos Mosquitos* against the provinces which undergo their forays, His Majesty was pleased to deliver his Royal *cédula* of October 31, 1734, in order that this Government, as soon as possible, should take the most effective measures to

¹ Archives of the Indies. Shelf 65. Compartment 6. Bundle 34. *Peralta—Costa Rica y Costa de Mosquitos*, p. 117.

investigate with the greatest accuracy the deeds of the said *Zambos*, and that it should inform His Majesty as to the most suitable way to drive them out.

And in compliance with such order this Government directed reports to be sent from the provinces which are hostilized by the said enemies, in order to forward to His Majesty the information given by those who govern the said territories, as I did in my report of May 10, 1737, setting forth the state in which those enemies found themselves, the way they live and their methods of depredation on the people, and my ideas as to what could be done to conquer them.

And His Majesty having seen the aforesaid report, delivered his Royal *cédula* of August 30, 1739, giving me full powers to put into practice all that I had been ordered to do in this important affair, which, as I have already said, has been paralyzed on account of the war.

Having stated this, I will now take up certain particular phases of the matter that I consider to be more important, in order that, by conveying a knowledge of the details, the whole affair may be better understood and that the enterprise which has been planned may be realized according to the Royal *cédula* of August 30, 1739 above cited.

Although I gave in my report of May 10, 1737, the advice that I considered to be in accordance with the information I had at that time, and as I have been seeking for more information in order that everything may be taken into consideration, when the expedition shall be put into practice, it seems now to me to be necessary to name the rivers and hamlets inhabited by the *Zambos*, because the knowledge of the places in which they are located will lead to that full understanding of the matter which is so important for the successful management thereof by the man who shall command the expedition.

The rivers which are to be found between the two provinces of *Honduras* and *Costa Rica* and which flow into the Northern Sea are the *Motagua*, *Chamelecón*, *Ulúa*, *Leán*, *Aguán*, *Tinto*, *Plátanos*, *Bayahonda*, *Yara*, *Indiano*, *Villages*, *Tranguicalpa*, *San Juan de Nicaragua*, *Suerre*, *Ximénez*, *Tranquivolquí*, *Colorado*, *Caurribas*, *Puntagorda*, *Monquibe*, *Taure* and *Matina*.

Along the other rivers situated between the last one mentioned and that of *Leán* are located 27 hamlets of the *Zambos*; among these some are inhabited by Englishmen, and the names of the hamlets are as follows: *Aguatalara*, *Tunda*, *Gualpasigso*, *Guago*, *Suinta*, *Saniagua*, *Cavalara*, *Aguartara*, *Norrosvila*, *Taulavera*, *Dacora*, *Suculina*, *Olguiat*, *Casca*, *Aguardacora*, *Ginasdacora*, *Cavalara*, *Guance*, *Culuquinguanquil*, *Sance*, *Tavancañas*, *Cruta*, *Caurguera*, *Suinta*, *Catastiu*, *Cutuca*, and *Gulpasiogsa*. I will remark here that many of these hamlets are located in the interior upon the banks of the rivers which have been mentioned and the *Zambos* go by them to the Sea in their pirogues armed for war; with which they carry on hostilities against the provinces of *Campeche*, *Comayagua*, *Nicaragua*, *Costa Rica* and *Tierra Firme*, according to the testimony of some mulattoes and negroes who have been the prisoners of the said *Zambos*; the number of the *Zambos* may be as many as two thousand men bearing arms.

Besides the places mentioned where the *Zambos* live in conjunction with the English, these two peoples inhabit the Island of *San Andrés*, which is located to the East of *Pearl Keys* at a distance of 30 leagues from the mainland. The said Island of *San Andrés* has for its defense only a few cannons of a small caliber mounted on a battery raised upon the ruins of a fort left by the Spaniards who lived there and abandoned it on account of the injury of time. Those who have seen the island say that it is fertile and has much timber suitable for building small vessels, and that its length is only eight leagues.

At a short distance from Cape *Gracias á Dios*, which is on the coast of the province of *Comayagua*, there is a small island named *Mosquitos*, in which, in the year 1650 (according to tradition), a vessel was wrecked which carried negroes under the charge of Lorenzo Gramalxo, of the Portuguese nation; those who were saved from the shipwreck and reached the mainland were well received by the Indians who lived there. They interbred with the Indians, and produced the *Zambos*, under the designation of *Mosquitos*, derived from the island upon which the negroes were shipwrecked, and this is the distinctive appellation by which they are known; and this name applies to all those that dwell with them, they being the heathen Indians that inhabit those

territories, the mulattoes, and the negroes who have left the dominions of His (Majesty) in order to enjoy free life without any subjection; neither these nor the *Zambos* have any religion.

The English who live among the *Zambos* are most degraded in their habits and they are the ones who have introduced the custom of invading the villages and not only stealing everything they find, but also enslaving the Indians who do not succeed in making their escape. These they trade in *Jamaica* in exchange for arms, ammunitions, brandy (with which they intoxicate themselves) and some trifles for their wretched clothing. And for this reason the *Zambos* are so far subordinate to the English nation that they obey its orders as if they were under its sovereignty, and the one they have among them under the title of King is invested with that title by the Governor of *Jamaica*. This King has his court in one of the hamlets already mentioned, named *Xinasdacora*, in a territory which, according to those who have seen it, is fertile.

As the war that is to be made against the *Zambos* must be by sea, it is very necessary to name here the ports that are to be found on the coast of the three provinces of *Honduras*, *Nicaragua* and *Costa Rica*, for the knowledge of the commander of the vessels with which the expedition shall be made, in order that they may take refuge in them to avoid the storms of that coast.

The port of *Omoa* is to the East of the Castle of the *Gulf* and likewise that of *Caballos*. Then follows that of *Sal* (this port has two small, rocky islands at its entrance), those of *Triunfo de la Cruz*, *Trujillo*, *Cartago* and *Gracias á Dios*, which is at the Cape of this name. This port has a rocky island; they must beware of it. From this cape the coast runs to the Southeast as far as the River *San Juan* and on this coast are the *Pearl Keys*, which are at a short distance from the mainland. Therefore it is necessary to be careful not to be stranded on the reefs. At the mouth of the said River *San Juan* are a few small islands which can be avoided by passing by the northeast, and farther along will be found a good and fairly safe anchorage. To leeward of the mouth of River *Matina* lies the port of *Moín*, which has a good anchorage and is safe for the vessels that might seek refuge in it.

As soon as I received the Royal *cédula* of August 30, 1737, above cited, I ordered the preparation of such arms and ammu-

nitions as I considered to be needful for the purpose stated by this Royal *cédula*; but, as the declaration of war paralyzed this whole affair, it was necessary to change what had been prepared, both because the enemies were threatening these provinces on the South and North, and on account of the continuous Royal orders for the defense of this Kingdom against the efforts of the enemies to overcome some of its provinces, especially that of *Costa Rica*; and in order to protect the latter against the invasions to which it was exposed—a matter that His Majesty recommended very particularly by Royal order of October 1, 1739—I directed the construction at the mouth of the River *Matina* one of the forts which had been planned. And as there was no engineer to build this fort, it was constructed of stockades and fascine; and a garrison was installed therein, which has maintained itself although the enemies have been threatening it; the other fort which is to be made at the port of *Trujillo* has not been built yet.

For the planned expedition to force out the *Zambos Mosquitos* from the places they occupy, it is necessary to build the vessels in *Campeche*, and the captains of the privateers must be ordered to go to the Castle of the *Gulf* (from which they cruise on those coasts) in order that when they shall see the *armada* of *Campeche* they shall incorporate themselves there with their pirogues armed for war, and reconnoiter the mouths of the rivers where the *Zambos* live in order that the vessels which shall attack the hamlets may be able to navigate in those rivers. And for acquiring a better information on this subject, it must be ordered that the Governors of *Comayagua*, *Nicaragua* and *Costa Rica*, shall send from their districts men who may have been in the territory of the *Zambos* as prisoners, and these men shall go in the small boats in order that, having a knowledge of their hamlets, they may play a principal part in the success of such an important enterprise.

For the purpose of cutting off *Zambos'* avenues of escape, the roads to the *Zambos*, when their hamlets shall be attacked, the Governors of *Comayagua*, *Nicaragua* and *Costa Rica* and the *Corregidor* of the district of *Thegucigalpa*, must be ordered to take the militia of their districts and attack the *Zambos* by the

rear-guard, so as they might be made prisoners. And for this same purpose I will set forth some considerations which will be very useful if put into practice, as a part of the whole plan of that expedition.

The Governor of *Comayagua* shall direct the Lieutenant Governor of *Yoro* that when he shall call the militia of that district with the purpose stated, he shall also call the *Jicaques* Indians, who are great enemies of the *Zambos*, so that they may take part in making them prisoners. This can be made easier through the residents who understand their language and especially the Sergeant Manuel Díaz, who is very much respected by the Indians.

As the district of *Chontales* belongs to the jurisdiction of *Nicaragua*, the Governor of that Province must order that the militia-men of the said district shall be quartered in that place, in order that, jointly with the *Payas* Indians, they shall guard that road, so that the *Zambos* who might try to escape by that way, may be taken prisoners.

The personal assistance of Don Juan Antonio Santos de San Pedro, Governor of the conquests of *Tologalpa* on the side of *Sébaco*, being very important for the same purpose, he shall be ordered to attack with his company and the friendly Indians the *Zambos* by way of the mountains near their dwellings, in order that they shall be injured by that side and advantage taken of them.

To the same end Don Pedro Alemán, Lieutenant-General of those conquests, must also cooperate, for he has made the greater part of those conquests and has settled a village named *Dolores*, whereby and by his great assiduity he has checked the *Zambos* who were accustomed by that route to attack *Segovia* and other places. And as the said Alemán knows the mountains and the more dangerous places, he is the most suitable man to oppose the *Zambos* in order that they shall be taken prisoners.

To the northwest of the City of *Cartago*, Capital of the Province of *Costa Rica*, is located the mouth of the River *San Juan de Nicaragua* and on its eastern bank a place called *Puntagorda* inhabited by Englishmen mixed with the *Zambos*; and in the same direction is to be found a hamlet of *Carib* Indians of the tribe named *Voto*. And as the distance between the said hamlets

and the city of *Cartago* is a short one, the Governor of the said province must contribute to the execution of the orders given to the other governors for this affair, in order that all of them shall act at the same time and prevent the *Zambos* from making their escape.

By the River *Leán*—one of those which have been mentioned—the *Zambos Mosquitos* were accustomed to enter as far as the River *Chalmeca*, which flows through the Valley of *Xamastlán* and attack that place, in which was formed a company of soldiers to check them, and this was obtained by means of this guard. And if the *Zambos*, at the time they shall be attacked, should try to escape through there, the *Corregidor* of *Thegucigalpa* must be ordered to guard that road, because the said place belongs to his jurisdiction.

When all the measures which have been stated shall be taken, and in order that the undertaking may be started simultaneously from all points, it will be necessary to supply the militia-men who shall contribute to it with provisions for their maintenance; and to this end the Governors of the mentioned provinces must be ready to provide the militia-men of their territories.

To force out the *Zambos* from the places they inhabit, it shall be very necessary to remove them to some one of the *Windward Islands*, because if they are left in the neighborhood of their territory, their evil deeds will continue; and in order that they shall not be allowed to resume these, what I propose here must be carried out, so as to obtain their complete expulsion.

A knowledge of the places by which the *Zambos* must be attacked, being so necessary in order to guard the roads, it shall be ordered by His Majesty that the engineer who is in this Kingdom, being as he is a man of experience in his profession, shall take the most suitable measures in the territory in which the operations are going to be conducted, because in some parts it will be necessary to do some work to expedite the transit, both by land and the rivers, so as to overcome the obstacles that may be found. And as in this work the Engineer will incur heavy expenditures, there must be given to him the money that may be necessary.

The information that I give here I have procured for use at the time of putting in practice this expedition. And for such occasion I had reserved the suggestions stated, thinking that by putting them in practice this very important enterprise would be successful. And notwithstanding my desire for the prompt fulfillment of the orders His Majesty was pleased to give me by his cited Royal *cédula* of February 28, above cited, if after the parts that form the whole of these directions have been studied, some of them appear to be impracticable (which I do not doubt) such parts will be separated from those that might be considered as being valuable for the end to which they have been directed; because my only purpose is to serve His Majesty as well as possible as I have always done.

Guatemala, November 8, 1742.

Doc. 167 Royal Cédula to the President of the Audiencia of Guatemala, Ordering Him to Aid in Every Possible Way the Brigadier, Don Alonso Fernández de Heredia, Appointed Military Governor of Nicaragua and Costa Rica with Jurisdiction Extending to the Chagres River Exclusive.

SAN ILDEFONSO, August 23, 1745.¹

THE KING.

To my Governor and Captain General of the Provinces of the Kingdom of *Guatemala* and President of my Royal Audiencia which sits in the city of *Santiago*:

By my order, communicated to you by the Marquis de la Ensenada, my Secretary of State and the Universal Department of the Indies, dated May fifth of the year last past, which in the original and in duplicate was addressed to you in two despatch boats that were sent from Galicia (of which a copy is enclosed), you were informed of the measures which I deemed it best to

¹ General Archives of the Indies. Secretaryship of New Spain. Audiencia of Guatemala. Shelf 66, Compartment 5, Bundle 15. Peralta—*La Géographie historique*, etc., p. 254.

adopt for putting the Province of *Nicaragua* in a state of defense and to take in time all the steps necessary to resist my enemies and frustrate the plan they had formed of invading that province and to prevent the ruinous consequences which would have ensued if they had succeeded in gaining possession thereof; and I directed you to assist for that purpose with all the help and means that were suggested to you and whatever else should be needed.

By *cédula* of this date, issued to that Audiencia, and of which you will take cognizance as its President, you will be informed of the resolution I have taken in order to assure still further, and in everything possible, the security of the said Province of *Nicaragua*, that of *Costa Rica* and others; and of my purpose to pursue and attack the *Mosquitos* Indians and punish them, and cut out by the roots the contraband trade which some of the inhabitants thereof encourage and carry on with my enemies and other foreigners; and that, entrusting the execution of these important affairs to the Brigadier of my troops, Don Alonso de Heredia, I have appointed him Governor of the said Province of *Nicaragua* and *Comandante general* of my forces and for everything that relates to the prevention of the contraband commerce in that province, in that of *Costa Rica*, and in the districts of the *Corregimiento* of *Realexo*, the *Alcaldías mayores* of *Subtiaba*, *Nicoya*, and other territories embraced between Cape *Gracias á Dios* and the *Chagres* river, exclusive.

You will also see by the same *cédula* that in order to obtain like results in the Province of *Honduras* and in all those which are embraced from where the jurisdiction ends of the Governor and Captain General of the Province of *Yucatán*, as far as Cape *Gracias á Dios*, I have appointed the Colonel of Infantry, Don Juan de Vera, as Governor and *Comandante general* of my forces with instructions to watch and prevent contraband trade in said provinces and in all the rest and the territories mentioned; and both of them, in these two matters, are given absolute jurisdiction and authority, as also in all the operations for attacking, pursuing or conciliating the *Zambos-Mosquitos* Indians, subject only to the Governor and Captain General of the Province of *Yucatán*, as you yourself should be for these purposes in virtue of my orders which have been communicated to you and issued

by my Supreme Council of the Indies, to the execution and fulfillment of which you should devote yourself and assist whenever desirable.

Of all the aforesaid I have desired to inform you and to direct you (as I do) that you assist on your part and help the said two Governors with all the succor and means which they may ask of you, whether in funds, supplies, arms, munitions and provisions or anything else, in order that they may be able to equip and maintain the 30 dragoons and officers that each one ought to raise, as also the militia on the footing on which they considered it desirable to place and establish them, whether the plan be to resist or attack the English, invade and destroy the *Mosquito Zambo* Indians, pursue and cut off contraband trade or for any of the other purposes and charges which I have placed under their care.

Among the measures which I have directed to be executed by Don Alonso de Heredia is that of inspecting the military fortifications of the provinces over which I have granted him military jurisdiction, and which, according to their need, he is to repair, enlarge or remove and erect elsewhere in new and more exposed localities, accordingly as he deems necessary for the defense of the coast and to prevent contraband trade; and in order that he may at once execute the repairs or make the enlargements needed in those fortifications which are already built, and in the fort which your predecessor, the Fieldmarshal Don Pedro de Rivera Villalón, in a letter of August 25, 1740, informed me that he had made at the mouth of the *Matina* river, and to plan those new ones that ought to be constructed, you will send to *Nicaragua* the Engineer Don Luis Díez Navarro, giving to him for the journey thence and back and the time he is detained therein, out of your Treasury in *Guatemala*, such amount for expenses as may appear to be necessary, assuring him of my gratitude which he will receive in proportion to the merit with which he shall carry out this important commission; and you will direct him to prepare plans of everything which shall be executed and planned, treating everything with the Governor Don Alonso de Heredia, to whom he is to deliver copies of them, so that by both they may be forwarded to me and have their opinions expressed there-

on; so that with them before me I may be able to direct what is proper; and you will advise him that when this duty is performed and his personal presence is not required in those provinces and coasts, he is to return to your capital and continue under your orders as he should be and those of the Brigadier Don Alonso de Heredia all the time that he may remain in the provinces under your command.

For like purpose in the Province of *Honduras*, port of *Trujillo*, and other coasts and territories that are to be governed by the Colonel Don Juan de Vera, I have commanded the Field-marshal Don Antonio de Benavides, Governor and Captain General of the Province of *Yucatán*, to send to *Comayagua* the Second-Engineer, Don Henrique Díaz Pimienta, as he can go from the port of *Campeche* with less delay; and you are advised that likewise you are to provide the means that Don Juan de Vera shall ask for the fortifications and the rest that is required, to whom, as well as to Heredia and the Engineers, you will give the most strict charge to avoid expense to my Royal Treasury, taking care, both the Royal officials of *Comayagua* and *Nicaragua*, that the funds be applied and distributed with the greatest utility and economy that may be possible; and I rely upon your zeal and affection for my service that you will devote yourself, with all the vigilance and energy that these important affairs require, to executing what is entrusted to you; all of which is my will, as also that you will report to me upon all occasions and by such ways as you shall be able to use how you have accomplished these affairs.

Given at San Ildefonso, August 23, 1745.

I, THE KING.

DON CENÓN DE SOMO DE VILLA.

Doc. 168 Royal Cédula Ordering the Suppression of the Audiencia of Panama.

BUEN RETIRO, July 17, 1751.¹

THE KING.

To the Marquis de Villar, my Viceroy, Governor and Captain General of the *New Kingdom of Granada* and of the *Tierra Firme*, President of the Royal Audiencia of *Santa Fé*:

The erection and establishment of the superior tribunals has been considered and has been found to be one of the most efficacious means for preserving their special rights; but if in some provinces the reasons which required their creation cease to exist, they would not only be useless but many difficulties would result from their maintenance. One of the tribunals established in former times is the Audiencia of *Tierra Firme*, which sits in the city of *Panama*, the erection of which very properly grew out of the wealth which existed in those provinces, but this having greatly diminished and with it the suits and business of the Audiencia, it resulted that the officials interfered with the affairs of other tribunals and consumed their time in bickerings and controversies among themselves. This being recognized by the King, my master and father (may he rest in glory), he directed by Decree of October 31, 1718, that this Audiencia be suppressed; this was done, although thereafter in the year 1721, moved by the representations made to him by the Ecclesiastical *Cabildo* (Council) of *Panama*, he ordered that it be reestablished with the same number of officials that it previously had.

Notwithstanding the reasons stated by that *Cabildo*, the period during which there had been no Audiencia had passed very peacefully and quietly, while on the contrary, after its re-establishment, disputes and troubles at once broke out between its officials, which with little intermission have continued until the present time; and although I expect your zeal and effort will remedy this by carrying out the instructions which I have given

¹ General Archives of the Indies Shelf 109, Compartment 2, Book 3. Peralta, *ubi supra*, p. 262.

you for that purpose, still it is to be presumed that new quarrels will arise in the future as long as the cause therefor exists.

For these reasons, and being well informed as to the decadence which has been going on in the province of *Tierra Firme* for the lack of entailed estates, commerce and agriculture; and having also in view the example of the Provinces of *Cartagena*, *Havana*, *Campeche* and others, which, notwithstanding the fact that they are richer than those of *Tierra Firme*, are better governed without an Audiencia, I have resolved to suppress the one which sits in the city of *Panama* and that in future the provinces of its district shall be governed by a Military Governor and, in his absence or default, the government shall be under the charge and be exercised by a Deputy of the King, with a learned legal adviser and Military Judge, serving in the same fashion as the Judge and Deputy Governor of *Cartagena* serve.

I inform you of this resolution and I command that, as soon as you shall receive this *cédula*, you send and forward to *Panama* the corresponding orders and despatches for its execution, fixing the day upon which that Audiencia, and the salaries which are paid to its subordinate officials and dependents, shall cease, instructing the present President to inform all those who are affected thereby, and directing him at the same time to take charge of and forward to you the seal bearing my arms which was used by the Audiencia; but if in the carrying out of this resolution you shall find for the moment any serious difficulty, you may leave it in suspense, keeping it in reserve until such difficulty disappears and then you shall execute it with the understanding that it is my purpose to extinguish the said Audiencia as soon as possible.

In consequence thereof I desire that the city of *Panama* and the Kingdom of *Tierra Firme*, with all the districts of its Audiencia, be under the charge of the Campmaster, Don Manuel de Montiano, in all political and military matters, with the title of Governor and *Comandante general*, upon the same footing as the Governors of *Cartagena* and *Veracruz* serve; and that the appeals and proceedings in the causes which come up and should be allowed be sent before the Audiencia of *Santa Fé*.

I will appoint persons to serve as Deputy of the King for the

city of *Panama*, a Deputy Governor and Military Judge, who are to be kept in *Cartagena* awaiting your orders in order to proceed to their posts and serve therein in the same way that the Deputy of the King and Judge of *Cartagena* serve.

It is my will that the Judges who are now in the Audiencia of *Panama*, capable of serving, and who, after a report has been prepared upon your order by Colonel Don Fernando Murillo, shall not be found to be guilty of any offense deserving the loss or suspension of employment, you shall transfer and cause them to be sent to the Audiencia of *Santa Fé*, so that they may serve therein at the same salary which its officials enjoy, that which they now receive in *Panama* ceasing, as well as their allowance for house rent.

And considering that it has been brought to my notice by the President, Don Manuel de Montiano, that the *Fiscal* (Attorney General) of this Audiencia had been suspended from duty on account of the attack of insanity from which he suffers, you will examine into the state of his health, and if he should be incapable of serving, you will retire him and direct that he be paid half of the salary which he now receives, without any allowance for house rent; but if he should be restored to health and be in a condition to attend the tribunal, you will also transfer him to the Audiencia of *Santa Fé*, with the same salary that the *Fiscal* thereof receives, in order that he may serve in the same capacity and despatch the business allotted to him by the tribunal which you shall direct him to undertake.

You will ascertain the manner in which the two clerks of the Audiencia of *Panama* have attended to their duties, and if they are worthy to attend thereto you will arrange that the Governor make use of them for everything relating to his administration, or you may do shall appear to you most conformable to equity and justice.

If in the execution of the foregoing you shall find any difficulty or just reason for varying my resolution in any particular, you will do what you shall consider most proper, since I grant you therefor all the authority and necessary powers, which you shall use in the manner most in accord with justice and most de-

sirable for my service and that of the public, for I confide in your zeal, experience and accredited conduct; and you will render to me an account of what you shall have done.

Done at Buen Retiro, on the 17th of July, 1751.

I, THE KING.

DON CENÓN DE SOMO DE VILLA.

This is a copy of the original. Buen Retiro, August 4, 1751.

Royal Cédula to the Captain General of Guatemala Concerning the Subjection of Talamanca and Tologalpa. Doc. 170

BUEN RETIRO, November 30, 1756.¹

THE KING.

To the Governor and Captain General of the Provinces of *Guatemala* and officers of my Royal treasury:

By letter of June 30 and September 17 of the past year you informed me that Fray Francisco Xavier Ortiz, ex-Apostolic Commissioner and Inspector of the College of Christ Crucified of the missionaries of that city and its dependencies, had appeared before that superior government and had asked that be the salary of three hundred and thirty-two pesos received by the missionaries who assist in the subjection of the heathen Indians of *Talamanca*, in the Province of *Costa Rica*, and those who live in the missions of the River *León* in the Province of *Comayagua*, be increased up to four hundred and fifty pesos per annum, and this with the purpose fully indicated in his request, and that the thirty soldiers who live in the city of *Cartago* be increased by twenty for the incursions of the missionaries into the mountains for their conversion; thirty of the fifty who would compose the entire escort would go to live with their families in the village of *San Francisco* so as to hold themselves ready for the missions.

¹ General Archives of the Indies. Audiencia of Guatemala. Ecclesiastical. Despatch concerning the mission of Sixteen Friars of San Francisco in Guatemala, progress in the missions of Talamanca and assignment thereto. Year 1787. Peralta—*Jur. Ter.*, p. 359.

For this purpose the Board of the Royal Treasury, after having heard the Attorney General, consented to what was asked for by the Fathers of the College of the Propagation of the Faith under the condition that such increase which they granted to each missionary up to four hundred and fifty pesos, should only be made to him for a fixed term of two years, during which interval a report should be made to me of the decision arrived at, so that with a knowledge of the matter I may be able to give directions according to my Royal pleasure; and consented that such increase will be appropriated to the purposes planned and that a statement be made of its use, with vouchers to the superior government.

Moreover, it was agreed to increase by twenty the thirty soldiers who live in the city of *Cartago*, and from these fifty there will be taken away thirty who will go with their families to live in the village of *San Francisco* and will thus be ready for the expeditions which are required for the defense and increase of that village and for assistance in the conquests mentioned, advancing to the thirty soldiers aforesaid the salary for one year, which will allow them to provide themselves with everything that is necessary; and this first year having expired they will be advanced the salary for the second.

It was also agreed, as proposed by the same inspector, that the missions of *Tologalpa* be suspended, because they are now of no value, but that those of *Costa Rica* shall be maintained on account of the known advantages which will be derived from their inhabitants and their lands, as it appears in the papers, and as you said yourself, the President being well informed thereof.

After having examined all the foregoing, and everything relating to this subject, and the antecedents of the affair taken by my attorney general, my Council of the Indies has advised me, and I have resolved, to approve and confirm (as I do by my present Royal *cédula*) the increase agreed upon by the Board of my Royal Treasury in the compensation assigned to each missionary up to four hundred and fifty pesos per annum during the time the reasons shall continue to exist which have induced such increase; and for this purpose the appropriate order has been

delivered through the medium of the Secretary of the Bureau of the Indies.

I approve and confirm, besides, that in the Province of *Talamanca* two annual expeditions may be made simultaneously and at different places, and that the thirty families may go to live in the village of *San Francisco de Térraba*; and the same with the union of the villages decreed in order to recognise the equity with which the Board has proceeded and the favorable results that may be expected to come from such useful measures.

With this understanding I order and command you to carry out and execute, and cause to be carried out and executed, my Royal resolution above mentioned, punctually and effectively accordingly and in the form therein indicated, for such is my will.

Done at Buen Retiro, the thirtieth of November, of the year 1756.

I, THE KING.

By order of the King, our Master:

DON JOSÉ IGNACIO GOYENECHÉ.

(Three flourishes.)

Don Antonio Guill y Gonzaga, Commandant General of Panama, to the Most Excellent Señor Knight Commander of Malta, Fray Don Julián de Arriaga, Secretary of His Majesty in the Department of Justice, Concerning the Condition of the Kingdom of Tierra Firme. Doc. 171

PANAMA, September 30. 1760.¹

* * * * *

By Chapter 8 of the *Apuntamiento* it was directed that an account be given of all the provinces embraced within the three Viceroyalties of *New Spain*, *Peru* and *Santa Fé*; the names of the cities, towns and places included within each of them, under the jurisdiction of what Audiencia and Royal Collection Office the said provinces respectively belonged; the number of tax pay-

¹ Archives of the Indies. Audiencia of Santa Fé. Governmental matters and reports of the Royal Hacienda. Years 1633 to 1824. Shelf 117, Compartment 7, Bundle 22. Peralta—*Costa Rica y Colombia*, p. 179.

ing Indians in each one of them, according to the latest polls, the evidence of which should accompany the calculation, in accordance with what is commanded by Royal laws; how much each taxpayer contributes annually; the persons upon whom its collection is incumbent; under what regulations these proceed, and where they are required to make their deposits and render their accounts.

In pursuance thereof my predecessor issued an order to these Royal Officials, directing them to certify the number of the Indian taxpayers in this Kingdom, with the testimony of the poll-lists: how much each paid annually, who collected it, under what regulations, where the deposits were made and where they rendered their accounts.

Likewise he sent despatches to the Governor of *Portobelo*, to the Governors of the Provinces of *Darién* and *Veragua* and to the *Alcalde mayor* of the city of *Natá* and the town of *Santos*.

And the reports made by the said officials having been forwarded, it happened that some of them took the orders in a different sense from what they were intended, and proceeded to give an enumeration of all the families of white persons, and even their ages and their slaves, leaving out the main things which were asked them, so that a great many reports were filed which were of no value and served no other purpose than to confuse and embarrass the understanding of what was desirable; whereupon it was necessary for me to take out of the said reports the facts that were of value as regards the *Apuntamiento*, and arrange them with proper order and method. This I did in the following manner:

This Kingdom of *Tierra Firme* is made up of the Provinces of *Darién*, *Santiago de Veragua* and *Santiago al Angel* (alias *Chiriquí*), which is commanded by a Deputy of the Governor of *Veragua*, and which, with the government of *Portobelo* and the *Alcaldía mayor* of the city of *Natá* and town of *Santos*, are subject to this *Comandancia general*, and the whole Kingdom to the Viceroyalty of *Santa Fé* and to the jurisdiction of its Audiencia.

PROVINCE OF DARIÉN.

According to the report of the Governor of the Province of *Darién*, there are in that province the following Indian settle-

ments: *Santo Domingo de las Balzas*, *San José de Morineca*, *Nuestra Señora del Rosario de Pirie*, village of *Fichichi* and *Jesús Nazareno*, in which he declares there are 59 houses or huts, with 301 persons, including women, children and negro slaves, and with more than 85 fighting men, none of whom pay taxes, having been exempted therefrom by various *capitulaciones* approved by His Majesty.

He also reported that of Spaniards and colored people (that is, negro, *Zambos*, *mestizos* and mulattos), without including the troops, there are the settlements and places following: the *Real* of *Santa María*, *Santa Cruz de Cana*, *San Antonio de Chapigana*, *San Nicolás de la Marea*, those scattered from *Tayegua* and *Troncoso*, *San Antonio de Tucutí*; in these he states there are 121 houses or huts, with 488 women, children and negro slaves, and 137 fighting men.

In the said *Real* of *Santa María* (which is the headquarters of the said province) the Governor lives and in it, as also in *Santa Cruz de Cana* and *San Antonio de Chapigana*, there are troops for their protection.

PROVINCE OF SANTIAGO DE VERAGUA.

The capital of this province is *Santiago de Veragua*, where the Governor lives. There are three settlements of Indians in it, as follows: *San Marcelo de León*, *Mesa de Tabarabá*, *San Francisco de la Montaña* and *San Miguel de la Atalaya*. The first has 242 tax payers, with 21 more who ought to begin to pay a tax during the present year. The second has 144, with 10 more likewise who will pay during the present year, and the third has 28.

THE PROVINCE OF SANTIAGO AL ANGEL (ALANJE), ALSO CALLEL CHIRIQUÍ.

In this province there is the said city of *Santiago al Angel*, which is the capital and residence of the Deputy, within whose jurisdiction there are the following Indian settlements: *San José de Bugaba*, *San Pablo* and *San Miguel de Boquerón*. In the first there are 48 Indians, including men, women and children, and of them all only four are tax payers. The second has 57 Indians,

The said *Alcalde mayor* has forwarded not only the registries that have been stated, but, not having understood the order which was issued concerning this matter, he sent polls and lists made up in the year 1755 of the aforesaid city, town and settlements, and of many other places, inhabited by white and colored people in the lands of that jurisdiction, which are included in the documents relating to this report. Beside what has been mentioned, there are in the neighborhood of this city of *Panama* the settlements of *Chame*, *Capirra*, *La Chorrera* and *Chepo*, which are composed of white and colored people, and as they are not included in any of the foregoing reports, nor appear from the papers cited, I mention them here where they belong.

CITY OF PORTOBELLO.

In the city of *San Phelipe de Portobelo* there are Royal Collection Offices, the officers of which have no other duty than to collect the levies upon the imports and exports of the vessels that come there, because in that jurisdiction there are no Indian settlements, nor any other of white people.

CITY OF PANAMA.

In this city of *Panama* there are also Royal Collection Offices, the officers of which appoint Deputy Collectors for the collection of the Royal duties in the Kingdom, both the tax and the rest that is due, bonding the said collectors in such amount as seems desirable, according to the amounts they handle; and for this service they get six per cent of all that they collect, being required in these offices to submit annual statements of account.

These Deputy Collectors are required to collect the taxes paid by the Indians in the said settlements, at the rate of three *reales* each per annum, which are to be paid in cash, with the exception of the Province of *Santiago de al Angel* (also called *Chiriquí*), the Indians of which pay in maize under the arrangement made by the inspector who was formerly there, for they have no silver with which to pay the tax.

These Collection Offices and those of *Portobelo* submit their accounts annually to the *Contaduría de Resultas* (Auditing Office)

including men, women and children and half breeds, and of these only 5 are tax payers; and the third has 126 Indians, including men, women and children, of which only 11 are tax payers. To these may be added 70 Indians, including men, women and children, who do not pay any tax, having been but recently converted. It therefore follows that in the said three settlements there are only 20 tax payers and the rest are exempt by reason of age, on account of their official position, or because they are under age, it being stated that the women pay no tax.

There is in this province also the city of *Nuestra Señora de los Remedios* (also called *Pueblo Nuevo*), where another Deputy of the Governor of *Veragua* lives, within whose jurisdiction there are two settlements of Indians called *San Félix* and *San Raphael*. From the list of the former it appears that it has 55 persons, including Indians, *mestizos*, *mulattos* and *Zambos*, none of which pay any tax—some of them because they have nothing to pay with, others because they are not old enough, and others because they have been only recently converted. The second has 18 persons, including Indians, and *mestizos*, and none of them pay any tax—for the same reasons as above stated.

In the same jurisdiction there is a hermitage of *San José de David*, which is an adjoining parish to it.

ALCALDÍA MAYOR DE NATÁ AND VILLA OF SANTOS.

The city of *Natá de los Caballeros* and the town of *Santos* are the capitals of this *Alcaldía mayor*, within the jurisdiction of which are found two Indian settlements, which are *San Juan Bautista de Penonomé* and *San Lucas de Ola*; and at the foot of the list made by the Deputy Collector of that section it appears that the first has 317 tax payers and the second 44.

There is also in this jurisdiction a settlement called *Santo Domingo de Parita*, where there is a Deputy of the said *Alcalde mayor*, and by a certificate given by him it appears that in this settlement there are 39 Indian tax payers, not generally known, nor are they subject to justice; as to this the Deputy Collector was informed so that he might attend to the collection of said tax.

There is also another settlement called *Calobre*, where another Deputy lives, and a few years ago it was made a curacy.

located in this city, where they are examined, and afterwards a duplicate of them is sent with the statements of results of such examination to the Tribunal of Accounts of *Santa Fé*, so that the officials there may approve or criticise the results of the audit by the *Contador* thereof.

This completes what was asked for in said Chapter 8 of the *Apuntamiento* and I refer to the Document No. 6.

ANTONIO GUILL Y GONZAGA.

Doc. 172 Report of Fray Manuel de Urcullu. Missions of Talamanca in 1763.

GUATEMALA, November 3, 1763.¹

Fray Manuel Urcullu, in the regular service of Our Father San Francisco, Apostolic Preacher and Guardian of this College of the Holy Propaganda of Christ Our Lord Crucified, of the city of *Guatemala*.

In accordance with the request and charge made to me on the 10th day of the past month by the Superior Government of this Kingdom, that, in compliance with a Royal *cédula*, I should, within the period of one month, submit a list of the friars who are living under my direction, stating their names, ages and personal qualifications, the offices or positions they hold, and also the *reducciones* (settlements of converted Indians) and existing Missions which my said College has under its care; and giving the number of the missionaries engaged therein and those that are needed in each year, in order that the propagation of the Holy Gospel and the conversion of the heathen may suffer no detriment; the locations and sites of each mission; the settlements formed; the number and character of their inhabitants; the time during which they have been established; the missionaries who have died therein; and what settlements and *reducciones* are now being undertaken for curacies and secular parishes; I have to report as follows, making an individual statement of all that is asked me. * * *

¹ Archives of the Indies at Seville. Shelf 100. Compartment 7. Bundle 1. Peralta, *ubi supra*, p. 130.

MISSIONS AND SETTLEMENTS OF CONVERTED INDIANS IN THE MOUNTAINS OF TALAMANCA.

The first mission to the heathen, the conversion of whom was undertaken by this Apostolic College, was that of *Talamanca*, in the Province of *Costa Rica*, distant 80 leagues from the city of *Cartago* and from this city of *Guatemala*, where this College is situated, more than 500, travelling almost due East, on account of which distance the provision for the Friars who are stationed there is very hard—not alone for their requirements but for the converted Indians, both in the matter of clothing which will cover their total nakedness and tools for tilling the soil. All those mountain regions are covered with very dense forests and the country is very rough, extending from East to West about 120 leagues and from North to South 30 to 40. The country is much cut up by ravines, the Cordilleras being very high and many rivers and gulches coming down from it, the waters of which flow to the North. The climate is very hot, although upon the summits it gets very cold. It rains the greater part of the year, and the shade of the forests does not allow the soil to dry except in a very limited area. Its geographical location is 10 degrees of North latitude and 290 of longitude, at some places more and some places less, according to the course of its extent.

The products of these mountains for the use of man are plantains, in abundance; *pigibayes*,¹ guavas, yucas,² *camotes*,³ sweet potatoes and a great deal of maize, which they plant throughout the entire year. For meat they have only wild boars,⁴ *saginos*,⁵ deer,⁶ small goats,⁷ and other quadrupeds. Of birds there grow in those mountains *pangiles*,⁸ *pavones*,⁹ mountain hens,¹⁰ eagles and other kinds of fowls.

¹ *Gulielma utilis*.

² *Manihot palmata*.

³ *Tpomoea batatas*.

⁴ *Dicotyles labiatus*.

⁵ *Dicotyles torquatus*.

⁶ *Cervus mexicanus*.

⁷ *Cervus rufinus*.

⁸ *Crax globicera*.

⁹ *Penelope purpurascens*.

¹⁰ *Odontophorus veraguensis*.

There are seven tribes of those heathens who are known as *Talamancas*; the first is that of the same name, which embraces two others called *Cabécara* and *Biceyta*; the second is called *Térraba*; the third, *Thóxar*, on account of living upon an island of that name on the coast of the North Sea;¹¹ the fourth is named *Changuen*; the fifth is called *Zegua*; the sixth, *Thorasque*, and the seventh, *Guaymí*. Of these the last three are in the districts of the Kingdom of *Tierra Firme*, and the first four in this district of *Guatemala*.¹²

The Indians of all these tribes are generally brave and warlike; for their most common exercise is to go about with bows and spears practicing for their wars, which they are generally engaged in with each other for the purpose of enslaving the men and carrying off the women. The sport and diversion of the boys is to shoot arrows and throw spears and they thus become very skilfull in the handling of them.

All the men of these tribes go entirely naked, only the *Talamancas* covering their private parts with girdles. The women all wear the girdle down to the knee, or use a blanket, which they weave from cotton or with *mastate* (a bark fibre) which they get by cutting trees.

The greatest sport of these barbarians is to paint themselves black over the whole of their bodies, which they do with the greatest hardiness, allowing themselves to be scarified by the experts whom they have among them, and over the bleeding places they put *copal*,¹³ which makes them swell up, and some even die by being cut in delicate parts, such as the face, neck and elsewhere. When they kill an enemy in war, they make a hole with a peg of strong wood and they drill the cartilage of the nose, as well as the lower lip; and when they have opened these two holes they put in each one of them a little bone like a cigar-

¹¹ The island of *Tójar* or Island of *Colón*.

¹² The enumeration which Padre Urcullu made was not strictly correct, inasmuch as the *Zeguas*, *Thorasques* or *Dorasques* and *Guaymies* lived wholly or in part, like the *Guaymies*, in the territory of *Costa Rica*; but it will be noted that besides, according to his statement, the Island of *Colón*, and consequently the Bay of *Almirante* belonged to *Costa Rica*. M. M. P.

¹³ *Protium copal*.

ette. These two bones are for the first death, and the others they get afterwards they keep on drilling the lower lip, into which they put two or more bones. They also bore the ears roundabout and in the holes they stick straws, like a large span set round with colored feathers; and all this is to show off their courage and excite fear.

The strangest thing in the mountain region of *Talamanca* is that the Indians of the *Zegua* tribe, who are upon the islands and shores of the North Sea, all or nearly all of them have a tail more than a third of a yard long; and doubtless on account of this monstrosity they do not mingle with the other tribes, but are only to be met with on the Island of *Thóxar*, whither the other tribes go to trade for cacao, the yield of which is there very good in quality and abundant. This island is very fertile and abounds in fruit, such as plantains and pineapples, etc., but as I am informed it is already deserted on account of the repeated invasions which have been made by the *Zambos* and *Mosquitos* in league with the English, who carry away the people to sell the men in *Jamaica* and making use of the women. The few that are left have withdrawn into the hills, where they have their settlements or *palenques*. * * *

As regards the number of the gentile Indians, living among those mountain regions of *Talamanca*, all that is known is that they are very numerous, as shown by the parts which have been subjected and the accounts of the Indians themselves, covering the lands they occupy.

As regards the work that has been done in those Missions it is to be noted that those tribes, if not all at least the three that are embraced under the name of *Thalamancas*, were conquered and paid their tribute generally in little nuggets of gold, of which there are records in the archives of the said city of *Cartago*. And in this College there is a copy of a document, from which it appears that in that province there was a city of Spaniards by the name of "*Santiago de Thalamanca*," with its fort of *San Ildefonso*, but that the Indians rebelled and killed a great many people and they burned the city and destroyed everything. The city was founded on what they called the plains of *Thalamanca*, on the

level lands of the great river *Estrella*,¹⁴ where it joins the river *Coén*,¹⁵ which comes down from *Cabécara*, and the *Ararí*, which comes down from *Viceita*.

Its destruction, according to the copy referred to, was in the month of August of the tenth year of the last century, and at the end of it. In the year 1689, the conquest and subjection of the heathen Indians of that province was undertaken by the venerable servant of God, the Padre Fr. Antonio Margil de Jesús, founder of this College, who had good results in his apostolic work, for in a few years he succeeded in teaching and baptizing so great a number of Indians that they already made up sixteen settlements. But at the end of 1709, those barbarous tribes rebelled, together with those who were taught, baptized and settled, and they killed two out of the three friars who were there. There were Fray Pablo de Rebullida and Fray Antonio de Zamora, and nine or ten of the soldiers who were in the garrison, together with a woman and a boy, burning the churches and profaning the sacred vessels and the furniture thereof. Yet by the orders and the measures taken by the Tribunal of the Royal Audiencia or Captaincy-General of this Kingdom, assisted by the good conduct of the Governor of the Province of *Costa Rica*, who at that time was Don Lorenzo de la Granda Balbin, and the military officers who accompanied him, and the Rev. Padre Fray Antonio de Andrade, a disciple of this College, who was saved out of that insurrection, they were successful in penetrating into the mountains and cap-

¹⁴ Among the papers relating to the foundation of the city of *Santiago de Talamasca* it appears that it was founded upon the banks of the *Tarire*, eight leagues from its mouth. Fray Manuel Urcullu is not mistaken as regards the site, but he falls into the same error already noted in the other reports of the missionaries, of calling the *Tarire*, *Tiliri* or *Sixaola*, the *Estrella* river. The latter is the one now designated the *Chánguene* on some maps, *Changuinola* upon others and, finally, the *Tilorio* river. The latter is the real *Estrella* river, discovered and made known in 1564, by Juan Vázquez de Coronado. Its course, instead of running towards the coast of the Sea of the Antilles, as it does today, turned at nine and a half degrees of North latitude and continued towards the East in a line almost parallel to the said coast, until it emptied into the Bay of *Almirante*. The ancient channel of the river is well known by explorers, and in particular by Don José María Figueroa, who traced it upon the map of Costa Rica. Note by M. M. de Peralta.

¹⁵ The river *Coén* is a tributary of the river *Tarire*.

turing fifteen hundred Indians who had risen, with their *cacique*, and justice was done to the latter as well as to the others, and the holy vessels and the furnishings were recovered. As the rebels continued more insolent and were bound together in their disobedience and apostasy, the zeal of the said Reverend Padre Andrade and of the other friars who were under him could not re-establish this conquest and subjection; but now, extricated from the difficult and even impossible situation in which the enterprise then was, it should be restored to this College.

Royal Cédula Entrusting to the Missionaries of Guatemala the Missions of the Province of Veragua. Doc. 173

MADRID, July 8, 1770.¹

THE KING.

To the Viceroy, Governor and Captain General of the Kingdom of *Granada* and the President of my Royal Audiencia which sits in the city of *Santa Fé*:

The Guardian and Director of the College of the Holy Propaganda of Christ Crucified of the Order of San Francisco, of the City of *Guatemala*, has advised me * * *

And the aforesaid having been considered in my Council of the Indies, with the information it had and the antecedents of the matter reported by its *Contaduría General* (General Accounting Office) and stated by my *Fiscal*, and report thereupon submitted to me on the 10th of May of this year:

I have resolved (among other things) to approve and confirm the delivery and appropriation which you made to the aforesaid College of Christ Crucified of the Order of San Francisco of the City of Guatemala, for the management, catechizing and subjection of the heathen Indians of the four tribes of Chánguenes, Dorasques, Dolegas and Guaymies, who live in the jurisdiction of Panama, under the government of Santiago de Veragua, bordering upon the Missions of Talamanca, not only on account of the right acquired by that College in virtue of the application which was made to it of these Missions in the Royal cédula of May 21, 1738, but because of the urgent need for the spreading

¹ Francisco de Paula Borda—*Límites de Colombia con Costa Rica*, pp. 321, 322, 323. Bogota, 1896.

of the Catholic Faith, in localities so abundant in infidels of good inclination and disposition to receive the light of the Gospel, as has been shown in the prior conversions and subjections;

And we order and command you (as I execute it) that, in accordance with the provisions made by the Laws and established by my glorious predecessors, you arrange that there be given by the Financial Officers of my Royal Treasury of *Panama* two hundred pesos to each one of the Friars engaged in such subjection for his maintenance and vestments and one hundred and thirty-two for wax and the host (wafers) and wine for use in the celebration of the Holy Sacrament of the Mass, one complete set of altar furniture, a bell, a vessel for holy oil and other things that are required and are customarily provided, for each one of the churches that may be built and are being built for these Missions, likewise some help for their construction.

You are to arrange also the quota of salaries which should be given to the Missionaries, and likewise provide for the delivery of the other things stated which are asked for, in the way that is done in the new establishments, proceeding in everything with prudence and in such a manner that nothing shall be lacking that is proper, and being careful not to burden my Royal Treasury with superfluous matters, giving to me an account of what shall be determined upon in order that it may be approved if it shall be found proportionate; and this is my will. This despatch shall be registered in the aforesaid *Contaduría General* of my Council of the Indies.

Dated at Madrid, on the eighth of July, one thousand seven hundred and seventy.

I, THE KING.

By command of the King, our Master: Thomas del Mello.

To the Viceroy of *Santa Fé*, advising him of the approval of the appropriation made for the College of Christ Crucified of the Order of San Francisco de *Guatemala*, of the Missions bordering upon those of *Talamanca*, and directing him to do the other things which are stated.

Description and Condition of the Viceroyalty of Santa Fé, Doc. 174
 New Kingdom of Granada, and Report of the Government and Command of the Most Excellent Señor Knight Commander of Malta, Fr. Don Pedro Mesía de la Cerda, Marquis de la Vega de Armijo, etc., etc., Viceroy and Captain General of the Said New Kingdom and President of Its Audiencia and Royal Chancellery; Written by the Doctor Don Francisco Antonio Moreno y Escandón, Fiscal Protector of the Indians in the Royal Audiencia and Judge Conservator of the Royal Revenues.

YEAR 1772.¹

* * * * *

TERRITORY OF THE VICEROYALTY.

Its territorial location, including the whole of the Viceroyalty of *Santa Fé*, is as follows: it adjoins that of *Mexico* or *New Spain* by *Costa Rica* and *Nicaragua*, and being divided from the Audiencia of *Guatemala* there is left for its district, that of the Province of *Alanje* and *Veragua*, all the South Coast, from the Bay of *Chiriquí*² by that of *Guayaquil* to near Cape Blanco, from whence going inland it follows the contour of the Province of *Quito*, and its dependencies by *Jaén*, *Laja* and *Maynas*, borders upon that of *Chachapoyas* and those contiguous belonging to the Viceroyalty and Royal Audiencia of *Lima*, from whence it extends as far as the *River Marañón*, or *Amazonas*, to the division line of the Crown of Portugal, being separated from the Province of *Guayana* of the latter Viceroyalty by the extensive and unsettled lands of the lake of *Parima* and establishment of the Dutch towards *Esequibo*, turning by this side to the Sea and coast of the North, before the outlet of the *River Orinoco*, and following the whole thereof, including the islands of *Trinidad* and *Margarita*, as governments dependent upon the Viceroyalty of *Santa*

¹ British Museum. King George IV. Library No. 217. Don José Antonio García y García, "Relaciones de los Virreyes del Nuevo Reino de Granada." New York, 1869. Peralta—*Costa Rica y Colombia*, p. 198.

² The Gulf of *Chiriquí*, or Bay of David, to the South of the Provinces of *Chiriquí*, and to the East of the peninsula of which the southern extremity is *Punta Burica*. M. M. P.

Fé and its Captaincy-General, its harmony is destroyed by the Province of *Venezuela* or *Caracas*, which, although included within this Viceroyalty³, was separated by just considerations for its better administration, giving it upon the coast to the frontîer of the jurisdiction of *Maracaibo* with some places in the interior, fixing as its line the river named *Barinas* and government of *Maracaibo*, there being added some Missions, as will be explained hereafter; and in this way, following along contiguously to the lake and port of *Maracaibo*, the district of the Viceroyalty follows the whole coast by the *River del Hacha*, *Santa Marta*, *Cartagena* and Gulf of *Darién*, until, by *Portobelo* and the government of the Province of *Veragua*, it closes the boundary upon the Audiencia of *Guatemala* and Viceroyalty of *New Spain*; it being noteworthy that all the territories comprised from the outlet of the *River Orinoco* into the Ocean to that of the *Marañón* belong to the Viceroyalty of *Santa Fé*; but the establishment of the Dutch in the Colony of *Esequibo* and that of the French in *Cayenne*, founded upon the same coast, require the situation of the Viceroyalty to be delineated in the manner stated, which, not being perceived with sufficient clearness by the plain statement of its circumference, will be more clearly understood by the sketch,⁴ which I have prepared, with much and tedious labor to more fully carry out the direction of Your Excellency; but with the demarcations more exact, based in part upon ocular knowledge and that of engineers designated for its ascertainment, and in part upon the most certain investigations of sailors and geographers devoted to this important business, upon which in great measure depends the definite knowledge of the government in countries unsettled, remote and not very well known.

* - * * * *

From the Province of *Guatemala* to that of *Panama*, there are living different tribes of savage Indians, like the *Talamancas*, *Tarraves*, *Dolagues*⁵ and *Guaymies*, the number of whom, according to the computation of some missionaries, exceeds 40,000 souls,

⁴ We have seen the original map of Señor Moreno y Escandón in the possession of the distinguished student of Americana, Don Justo Zaragoza, but it does not fulfill its author's promises. M. M. P.

⁵ The text of the Mss. says, *Tarraves* and *Dolagues* for *Térrabas* and *Dolegas*.

the subjection of which was sought since the beginning of this century by its missionaries of Christ Crucified of *Guatemala*, being begun by their founder, Fray Antonio Margil, and after various events, both favorable and adverse, these Missions have lately been given into the charge of the said missionaries.

* * * * *

The Province of *Veragua* suffers from the incessant struggles with the *Guaymí* Indians and other tribes, compelling arms to be frequently taken up in the contest for its natural defences, and the Governor of *Portobelo* modestly proposed the equipment of two pirogues, which cruising along its coast in order to prevent the trade of foreigners, might also serve to restrain the attacks of the barbarous Indians.

* * * * *

The Province of *Panama*, commonly called Kingdom of *Tierra Firme*, which, under the orders of the Court and by virtue of an investigation made in the year 1752, when the most excellent Señor Marquis del Villar was Viceroy of this Kingdom, was constituted in the character of a military government, with a salary of 6,482 pesos and 6 reales; with a deputy military judge as adviser, endowed with 2,000 pesos annually; and although it in military matters being the government of *Portobelo*, *Veragua* was a Captaincy-General it only enjoyed the title of *Comandancia* by the establishment of the Viceroyalty, its dependencies and *Darién*, and in political matters and legal contests appeals of their causes will lie to the Royal Audiencia of this city.

Doc. 175 Report of the Governor of Veragua to the Municipal Council of Guatemala Concerning Talamanca.

SANTIAGO DE VERAGUA, September 15, 1775.¹

THE VERY ILLUSTRIOUS MUNICIPAL COUNCIL:

Following is the report which this Government directed to be made in obedience to the request of Your Worship:

First Point. Concerning the lands and situation of Talamanca.

Talamanca is a generic name which embraces three tribes of heathen Indians, to wit, the *Cobécaras*, *Vizeytas* and *Norte-Têrabas*, located on the North side, between *Matina* and *Bocas del Toro*, notwithstanding the said tribes of Indians are distant from the North Sea fifteen days travel, and over mountains that are quite uninhabited.

The *Cabécar* and *Vizeyta* tribes were conquered in early times on the plains of the *Rio de la Estrella*, where the city of *Santiago de Talamanca* was located, from which, toward the South, there were many and large villages of those Indians, who, at regular distances, made the Royal highway as far as the city of *Cartago*, a distance of twenty days travel, from the said *Estrella*.

Upon the latter there was a fort called "*San Ildefonso*," with the proper garrison of troops who guarded the *Rio de la Estrella*, by which the vessels that came from Spain ascended with certificate of entry and were moored at the said port.

All those lands, mountains, rivers and ravines are very abundant in gold; without the need of working in mines, it was found by simply washing the dirt and sands in said river and in the gulches, and this with great profit and little labor, wherefore the gathering of people who came from over the seas to the said city was numerous and large; from this was derived the name of "*Costa Rica*." This continued until the sixteenth of August, 1610, when all the Indians and settlements of that region rose in revolt. They attacked the city that night, taking the lives of the Governor, of all the Spaniards and all of the people of

¹ Archives of the Indies. Shelf 103. Compartment 1. Bundle 30. Peralta, *ubi supra*, p. 205.

color who lived in that city, which they burned, reducing it to ashes, but leaving free the said fort of *San Ildefonso* and its garrison; this was at once abandoned, the garrison retiring to *Cartago*. The said Indians continued in rebellion from that time until the year 1688, when the venerable Fr. Antonio Margil and Fr. Melchor López, his associate, entered those regions and domesticated many of those Indians, collecting them into villages and subjecting them to the Gospel of Jesus Christ, which they had abandoned seventy-three years previously, and they were successful at the same time in establishing some churches and bringing them under instruction; but with the departure of these apostolic men, and because of the lack of assistance, these latter settlements again rebelled in the year 1709, burning churches and taking the lives of the Reverend Fathers Fr. Pablo Rebullida and Fray Juan Antonio de Zamora and ten white men who escorted them, so that *Talamanca* was again left deserted until the year 1741, when the missionaries of the College of Christ Crucified of your city of *Guatemala* once more entered and have prosecuted said conquest up to the present time with great labor and but little result.

The tribe of *Norte-Térraba* never was entirely conquered, but the larger part of it was; this was where the village of *San Francisco de Térraba* now exists upon the South coast.

These three tribes were constantly at war, being hostile to each other, without any other object than for the victor to carry away the head of the vanquished foe. From the said tribe of *Térraba* there was also founded the settlement of *Nuestra Señora de la Luz de Cabagra*; and all of that tribe revolted and entirely destroyed the latter village, carrying away all of its Indians and trying to do the same with that of *San Francisco*; in this they did not succeed, although they burned the village and left the Indians in the open with the loss of three whom they killed, and said village was once more entirely rebuilt.

The territory in which these three tribes live is very rugged, without any level lands, being wholly made up of high ridges with slopes and roads that are very dangerous with great ascents and descents which must be made on foot, and provisions must be carried on the backs of men, since animals cannot enter there.

The climate where the said three tribes live is cool, rather inclining to cold than hot. The location of the *Cabécara* tribe is fertile for all the products which the Indians use for their subsistence. That of the *Vizeytas* is somewhat sterile and that of the *Norte-Térrabas* is quite sterile, so that they even lack the necessities of life.

From the city of *Cartago* to *San Francisco de Térraba*, upon the South side, it is ten days travel, which, although rough in places, is passable for horses. The first two days the temperature is cold, the rest of the way it is hot, and the road is along the shores of said southern portion, where there are a great many rivers, plenty of fish, plantain groves and pastures, entirely uninhabited.

From *San Francisco de Térraba* to the mountain region of the said *Térrabas-Nortes* it is eight days travel, and it can only be done on foot, carrying the provisions upon the backs of men, for no food is to be found in those mountains. The climate is cold, always rainy and there is one high and bleak plateau which requires one day to cross.

The road from *San Francisco de Térraba* to the *Vizeytas* is the same distance, deserted and sterile.

From *Cartago* to the mountain region of *Cabécara* by *Atirro* it generally takes fifteen days, for it can be travelled by animals and by opening the old road of the city of *Santiago de la Talamanca*, by which they first travelled, it can serve as a road for pack trains. The climate is cool and pleasant, it is quite mountainous and good fish are found in the rivers and streams with which this road abounds; and everything is deserted.

From *Cabécara* to the *Vizeytas* it is only two days travel, but over rough mountains where it is necessary to go on foot, carrying provisions on the backs of men.

The said three tribes do not possess any goods or property, but are exceedingly poor and indolent, although they live in countries the richest in gold and the surface abounds in rivers and valleys. They seek nothing more than to harvest their maize and plantains and some other field products. They do not expend anything for clothing from the time they are born until they die, nor do they go out from those mountains or trade with any

one. Their habits, administration and government are savage; they are the greatest cowards and especially if they hear the report of a gun, so that they do not know where to fly, for which reason it is easy to take them out of the mountain region without risk or shedding of blood.

Second Point: Concerning the utility of the conquest of Talamanca.

It is very important to the service of both their Majesties that the conquest of *Talamanca* be carried out, not alone to prevent the loss of so many souls as have been and are being lost, but also to afford communication for the Province of *Costa Rica* with the North Sea by undertaking again to rebuild the city of *Santiago de Talamanca* on the banks of the *Rio de la Estrella*, for the benefit of the commerce of said province, and also to drive away from that coast the *Zambos Mosquitos*, who do great injury with the aid of the English, not only to said province and Kingdom of *Guatemala* but also to the Kingdom of *Tierra Firme*, along the whole coast of *Veragua* as far as *Portobelo*, carrying away as prisoners a great number of Indians, not only heathens but those who pay tribute, bringing in everywhere clothing from *Jamaica* and *Curazao*, so that they entirely overrun this province.

The said conquest of *Talamanca* is also very important, in order that those tribes may be taken out of the mountain region and transplanted near the South coast, forming villages and making a halting place on the way to these provinces of *Tierra Firme*, according to the Royal disposition of His Majesty, by repeated Royal *cédulas* directed to that kingdom of yours and especially by those dated September 1, 1713, and May 21, 1738, in which he gave full powers to your government in order that it might act in so desirable a matter and do what was best to attain the purpose of said conquest, at the expense of the Royal treasury; but this has not been carried out up to the present time. And as it is evident that in the mind of His Majesty the conquest of the heathen had his entire attention, especially in these kingdoms, he was pleased to issue the Royal *cédulas* of July 8, 1770,

and July 2, 1774, which were referred to in the preceding requisitory despatch.

The only way of effecting the conquest and subjection of the Indians who inhabit the centre of said *Talamanca*, is to dispatch an expedition to bring them out of the mountain region which is unsuitable for settlement, and locate them in fertile, comfortable and advantageous situations upon the said South side, so that, subjected to a civil and political administration, they may embrace the true Gospel of Jesus Christ, as has been the case with the villages of *Boruca* and *Térraba* situated there, belonging to the same tribes.

For such an expedition I consider useless and expensive the plans and expenses proposed to His Majesty by several meetings which were held by his Royal Order in your city of *Guatemala*, especially those of the 9th and 12th of September, 1716, and although they were approved by His Majesty in said *cédula* of May 21, 1738, even with greater fullness and condescension by the Royal mind, as it was not found desirable to carry out the conquest in those times in view of the events and circumstances, one hundred men will be sufficient now, armed with guns, bayonets and swords, accustomed to travelling on foot in mountain regions; to these there should be added fifty Indians selected from the village of *San José de Orosí*, and fifty more from that of *San Francisco de Térraba* (both of the same conquest), to carry the necessary supplies and guides for the roads and in the *palenques*, likewise equipped with spears and forest knives (*machetes*).

The most suitable time to undertake this expedition is in the Summer, and to bring out the three tribes which are included in *Talamanca* six months will be indispensable; and as the Summer in those regions lasts hardly more than three months, in that time it would be possible to take out the *Térrabas*, and during another Summer the *Cabécaras* and *Vizeytas*; and it would be necessary to observe the following rule: The first month to reach the mountain region; the second to get hold of the Indians therein, and the last to come out. And at the location which is set apart for each settlement there should be left the corresponding guard of twelve families, situated in the neighborhood in order to pre-

vent any outrages upon the Missionary Fathers or flights into the mountains, which is only to be feared during the first years of their establishment.

The reliance for safety in such expeditions depends upon the conduct of those in command, for which reason it would be desirable to have the men go subject to the directions of the Missionary Fathers of the College of your city, as they have more experience and knowledge in the conquests; and in order to enter among the *Norte-Térrabas* it would be well to go by the way of *San Francisco*, with fifty Indians of that village and fifty soldiers of the Province of *Alanxe* of this government (that village being distant from said *Alanxe* only five days travel); and at the same time there should enter by *Atirro* fifty more soldiers of *Costa Rica*, with fifty Indians of *San José de Orosí*, and attack the *Térraba* Indians by *Cabécara*, in such a manner that they may not be able to get away anywhere; since on the East is the Sea, on the North the troops who enter by *Cabécara*, on the West those who enter by *San Francisco de Térraba* and on the South are the frontiers of the *Changuin* and *Chaliva* Indians of this Government of *Veragua*, who are bitter enemies of the *Térrabas*.

In order to facilitate the movement against the said *Térraba* Indians by the troop of *Costa Rica* and the Indians of *Orosí*, who must pass through the tribes of the *Cabécaras* and *Vizeytas*, the latter, knowing that the expedition is directed against the said *Térrabas*, will not prevent its passage, nor attempt any extortion, but will rather on the contrary serve as porters for the transportation of provisions and as guides. This was shown when this same expedition was proposed before, the said Missionary Fathers being fully aware of all these facts; so that this expedition will surely be successful, without any bloodshed nor the need of taking the life of any one; and during the following year and Summer, with the same and even greater ease, the *Cabécaras* and *Vizeytas* will be moved under suitable arrangements, well guarded and will be properly distributed.

Third Part. Concerning the trade and communication of the Talamancas Indians with the Mosquitos and Zambos of the North Coast.

The three tribes of heathen Indians, the *Cabécaras*, *Vizeytas* and *Norte-Térrabas*, who occupy the centre of the mountain region of *Talamanca*, have no friendship, trade or communication with the *Zambos Mosquitos* of the North Coast, but on the contrary they are bitter enemies, on account of the great injuries they have received from the *Zambos Mosquitos*, who took prisoners all the Indians who lived at *Bocas del Toro* (for which reason they are called *Bocatoros*, and of the same caste and tribe as the *Norte-Térrabas*), the number of which amounted to a thousand persons, who were carried away and put into the hands of the English, leaving the whole coast without a single Indian. For this reason the said *Zambos Mosquitos* entered at the *Bocas del Toro* and *Rio de la Estrella*, and went into the mountains, where they were in the habit of taking such prisoners as they could of the said tribes, as that the latter retreated into the middle of the mountain region fifteen days travel from the northern shores.

Fourth Point. Concerning the utility of the conquest of Talamanca.

Lastly, the conquest of *Talamanca* is very important, in order that communication may be established between your kingdom of *Guatemala* and its last Province of *Costa Rica* and this contiguous one of *Veragua* and *Alhanxe* of *Tierra Firme*, this having been the principal object of the King, constantly shown in many Royal *cédulas* respectively directed at different times to your and to this kingdom, for in addition to those before cited, by those of May 20, 1709, September 1, 1713, June 16, 1714, August 6, 1717, December 20, 1737, and May 21, 1738, His Majesty commanded that the conquest of the Indians of this kingdom should be at once begun, giving the same charges thereby to the Reverend Bishops of this diocese.

All of which produced no effect, although two Reverend Fathers of your Holy College of *Guatemala* even went to *Pan-*

ama, as ordered by the last Royal *cédula* of May 21, 1748, and presented that order to the Audencia there, but, on the 21st of October, 1744, they were by the latter denied the right to extend their conquests to this kingdom, and since that time, down to 1758, which was the year when I came to take possession of this government, this matter, so desirable as well as important, was left entirely neglected and forgotten; and it appearing to me that it was one of my first duties and that the obligation rested upon me to carry out the conquest, at least in the provinces under my administration, I applied many times to the Most Excellent Señor Viceroy of this kingdom, with all the cited documents and circumstantial reports which were laid before the general meeting of Tribunals in the capital of *Santa Fé* on January 14, 1765, the result of which was the command to place these conquests under the charge of said Fathers of the Holy Propaganda of your College of *Guatemala*, giving to them the evidence of said meeting. In view of which the first priests belonging thereto were sent out March 20, 1766, since which time these conquests have been begun and there have been founded the villages of *San Francisco de Dolega* and *Nuestra Señora de los Angeles de Guclaca*. And in succession different priests came, by whom there have been founded up to this time the villages of *San Antonio de Guaymies* and *Jesús de las Maravillas*, of the *Chánguina* tribe; in these five villages more than two thousand souls of Indians are living in subjection, not only under a civil and political administration but in the knowledge of our Holy Religion, and the expectation is very good of increasing them to a greater number and founding other villages, by reason of the abundant harvest of heathens which is presented by the mountain regions as far as the frontier of *Talamanca* and the end of this jurisdiction.

All this has merited the Royal approval which was given by His Majesty, in his Royal *cédulas* of July 8, 1770, and November 20, 1774, the latter having been issued concerning the foundation of said village of *Chánguines*; so that, as has been explained, since these villages border upon and are next to the *Talamancas*, and since some of the same Missionaries of your and of this kingdom (dependents of the College of Christ Crucified), who were sent by it to these provinces to minister to its peoples, were forced to travel twenty days on the way, with the exception of the vil

lages of *Boruca* and *Térraba*, it seems desirable and necessary to overcome the dangers of the conquest of *Talamanca* which are much less than those involved in the conquest of these provinces under my charge which has been carried on solely at the expense of my meagre resources without the least mishap (although the *Chánguines*, *Doraces* and *Gualacas* Indians are much more to be feared than the *Talamancas*) ; by this the Royal purposes of H. M. would be attained and it would assist so many souls to eternal happiness, freeing them from their present slavery to the Devil, increasing villages and tributary vassals, with the advantages which the country affords in the abundance of its resources ; and with the South Coast, with its pearls, indigo and various other products, a certain trade by land may be established advantageously to all the subjects.

This is what I understand concerning the matter and can state.

Santiago, the capital of the Province of *Verague*, September 15, 1775.

FÉLIX FRANCISCO BEJARANO.

Doc. 176 Extracts from the "Convention Between Great Britain and Spain Relative to America," Signed at London, July 14, 1786.¹

ARTICLE I.

"His Britannic Majesty's subjects, and the other colonists who have hitherto enjoyed the protection of England, shall evacuate the country of the *Mosquitos*, as well as the continents in general, and the islands adjacent, without exception, situated beyond the line hereinafter described, as what ought to be the frontier of the extent of territory granted by his Catholic Majesty to the English, for the uses specified in the third article of the present convention, and in addition to the country already granted to them in virtue of the stipulations agreed upon by the commissaries of the two Crowns in 1783."

¹ Senate Report No. 407. 32d Congress, 2d Session.

ARTICLE II.

"The Catholic King, to prove on his side to the King of Great Britain the sincerity of his sentiments of friendship towards his said Majesty and the British nation, will grant to the English more extensive limits than those specified in the last treaty of peace; and the said limits of the lands added by the present convention shall, for the future, be understood in the manner following: The English line, beginning from the sea, shall take the centre of the river *Sibún* or *Jabón*, and continue up to the source of the said river; from thence it shall cross in a straight line the intermediate land till it intersects the river *Wallis*; and by the centre of the same river the said line shall descend to the point where it will meet the line already settled and marked out by the commissaries of the two Crowns in 1783, which limits, following the continuation of the said line, shall be observed as formerly stipulated by the definitive treaty."

ARTICLE III.

* * * "But it is expressly agreed that this stipulation is never to be used as a protest for establishing in that country any plantation of sugar, coffee, cocoa, or other like articles, or any fabric or manufacture by means of mills or other machines whatsoever; (this restriction, however, does not regard the use of saw-mills for cutting, or otherwise preparing the wood:) being indisputably acknowledged to belong of right to the Crown of Spain, no settlements of that kind, or the population which would follow, could be allowed. The English shall be permitted to transport and convey all such wood and other produce of the place, in the natural and uncultivated state, down the rivers to the sea, but without ever going beyond the limits which are prescribed to them by the stipulations above granted, and without thereby taking an opportunity of ascending the said rivers beyond those bounds into the countries belonging to Spain."

ARTICLE IV.

* * * "The English shall be permitted to occupy the small island known by the name of *Cassina*, *St. George's Key*, or *Cayo*

Casina, in consideration of the circumstance of that part of the coasts opposite to the said island being looked upon as subject to dangerous disorders ; but this permission is only to be made use of for purposes of real utility ; and as great abuses, no less contrary to the intentions of the British government than to the essential interests of Spain, might arise from this permission, it is here stipulated, as an indispensable condition, that no fortification, or work of defense whatever, shall at any time be erected there, nor any body of troops posted, nor any piece of artillery kept there."

ARTICLE VII.

"All the restrictions specified in the last treaty of 1783, for the entire preservation of the right of the Spanish sovereignty over the country, in which is granted to the English only the privileges of making use of the wood of different kinds, the fruits and other produce in their natural state, are here confirmed ; and the same restrictions shall also be observed with respect to the new grant. In consequence, the inhabitants of those countries shall employ themselves simply in the cutting and transporting of the fruits without meditating any more extensive settlements, or the formation of any system of government, either military or civil, further than such regulations as their Britannic and Catholic Majesties may hereafter judge proper to establish for maintaining peace and good order amongst their respective subjects."

ARTICLE VIII.

"As it is generally allowed that the woods and forests are preserved and even multiply, by regular and methodical cuttings, the English shall observe this maxim as far as possible ; but if, notwithstanding all their precautions, it should so happen, in course of time, that they were in want of dyeing wood or mahogany, with which the Spanish possessions might be provided, the Spanish government shall make no difficulty to furnish a supply to the English at a fair and reasonable price."

ARTICLE XI.

"Their Britannic and Catholic Majesties, in order to remove every kind of doubt with regard to the true construction of

the present convention, think it necessary to declare that the conditions of the said convention ought to be observed, according to their sincere intention, to insure and improve the harmony and good understanding which so happily subsist at present between their said Majesties."

"In this view his Britannic Majesty engages to give the most positive orders for the evacuation of the countries above mentioned by all his subjects, of whatever denomination; but if, contrary to such declaration, there should still remain any persons so daring as to presume, by retiring into the interior country, to endeavor to obstruct the entire evacuation already agreed upon, his Britannic Majesty, so far from according them the least succor, or even protection, will disfavor them in the most solemn manner, as he will equally do those who may hereafter attempt to settle upon the territory belonging to the Spanish dominion."

Royal Orders Concerning the Evacuation by the English of the Coast of Mosquitos. Doc. 177

SAN ILDEFONSO, September 24, 1786.¹

Pursuant to what I promised Your Worship in the letter of August 21st last, duplicate of which I enclose, I forward to you herewith the Convention ratified and printed concerning the evacuation of the lands of the *Mosquitos* by the English, and also copies of the translations of the orders which the British Court has sent to the Governor of *Jamaica*, Don Aluredo Clark, and to the superintendents commanders in chief of the *Mosquito Coast* and establishment in that of *Yucatán*, Don Jayme Lawrie and Don Eduardo Marcos Deipard.

Likewise I enclose duplicate of a letter which our Minister Plenipotentiary in London, the Marqués del Campo, wrote to Your Worship under date of the 3rd instant (the principal of which you will have received from the hands of the English), in which he refers to some small benefits to which that Minister

¹ Archives of the Indies. Shelf 101. Compartment 5. Bundle 2. Peralta—*Costa Rica y Costa de Mosquitos*, p. 254.

condescended after the Convention had been signed by both sovereigns.

The original duplicates of the same Ministry are not annexed, because they are to be taken by the three Spanish war vessels which will probably sail from Ferrol sometime in the month of October next, and which, after delivering to Clarke, the temporary Governor of *Jamaica*, the packet belonging to him, will proceed to *Port Trujillo* to meet one or two English frigates that will be in waiting to proceed by common accord with the evacuation of the *Coast of Mosquitos* and the removal of its colonists to the aforesaid establishment which they occupy in *Yucatán*.

In order to direct all these operations in the capacity of commander on land and as substitute for Your Worship, you will arrange that the Colonel Don Juan Nepomuceno de Quesada, Governor of *Comayagua*, proceed immediately to the *Port of Trujillo*; that two hundred veterans be attached to the detachment that exists there under the orders of the Lieutenant Colonel don Gabriel de Hervías, and that this latter officer be transferred at once to the *River Tinto* with a hundred and fifty or more troopers and be stationed in that region with all the precautions that the actual state of affairs requires, not only to take possession of the land in the name of the King, for which purpose the said English will assist and sustain him, but also to observe the progressive execution of the evacuation of the latter and the conduct of the Indians, who should at first be attracted by good treatment, friendly attentions, presents and expressions of sincerity and kindness, so that if it be possible they may be made to believe that the change of dominion will be much to their advantage. And in order that this fundamental idea may have the desired effect, Your Worship will provide that for account of the Royal Treasury there shall be purchased some of the articles which are most to their liking (arms being excepted) and in the quantity and of the quality the English have been accustomed to take, so that Hervías, being well informed as to this matter, may distribute and present them to the Chiefs and *Caciques* and other Indians where it is deemed necessary, assuring them of the clemency and generosity of the King, our Master, their legitimate sovereign and of the continuation of his benevolence.

The *Comandante* of our men-of-war must assist and protect the execution of the evacuation and removal aforesaid, under the orders that he may receive from Your Worship, or those which are communicated by your substitutes Quesada and Hervías, and in obedience to them shall convey from *Port Trujillo* the packets to Lawrie and Deipard, either by his own or one of the smaller vessels, or as may be found most convenient, since H. M. hopes that all may proceed with the utmost harmony and that there will be no delay in the carrying out of the stipulations agreed to.

As soon as the evacuation shall have been entirely completed, Your Worship will arrange that one or your two commissioners aforesaid shall advise the Governor of *Yucatán* of it, whom I notify under like date that when this notice is received he shall himself proceed, or in case of absolute impossibility by his King's Deputy, to the demarcation of the land fully, and that then and not until then the colonists be permitted to establish themselves upon said lands, on *Cocina Key* and in the triangle of the South, under the conditions stipulated, maintaining himself in the meantime and until everything is arranged and quiet.

It is probable that some of the English colonists of the *Coast of Mosquitos*, in the interest of not losing and abandoning their plantations or the connections which they have contracted with the Indians during their residence there, may ask to remain in the said establishments in the character of subjects of H. M., but in that case it is the Royal purpose that only those individuals shall be permitted to remain as shall appear before the Spanish head of the authority in that district where they are located and profess the Roman Catholic faith, and they must also take the oath of allegiance and vassallage before the said authority, in which they shall promise to obey the laws and ordinances of the Indies to which the Spanish are subject.

In order that the possession of the lands that are to be evacuated by the English may be assured to us in a permanent manner and also with the purpose of closing in the best possible way the port against smuggling, which that nation might still be able to carry on there, the King has determined that your Yorship inform yourself as to the merchandise and articles of commerce which the Indians are accustomed to get from the English in

exchange for turtle shell, woods, medicinal drugs and other products of the country, in order that measures be taken that there shall be an assortment of them and therefore they will not have recourse to their old friends and the separation will not be so much felt. His Majesty is determined to foster and carry out these ideas, that there may be formed four settlements, well provided and defended at *Río Tinto*, Cape *Gracias á Dios*, *Bluefields* and the mouth of the *River San Juan*; and therefore it is his Royal will that Your Worship shall begin these Spanish establishment at once with people from that Kingdom and suitable precautions; with the understanding that from this *Peninsula* or from the *Canaries* some families shall be sent to strengthen and reinforce them, in view of what Your Worship may report and suggest concerning the matter.

As, beside the three Spanish war vessels, of which I have made mention, Your Worship or the Governor of *Yucatán* may need more of the same kind, or other assistance of a different character, it is provided that if Your Worship or the other head shall ask for some vessel of war, the Minister of Marine directs the *Comandante* thereof at *Havana* to furnish it; and I repeat to the Governor and to the Intendant of said place and to the Viceroy of *Mexico* and *Santa Fé* the Royal Orders which I have previously communicated to them to the end that they may furnish Your Worship what may be needed and asked for to secure the prompt fulfillment of the Convention. God, etc.

San Ildefonso, September 24, 1786.

Señor President of *Guatemala*.

Pursuant to what I promised Your Worship in the letter of August 21st last past, I send herewith the Convention ratified and printed concerning the evacuation of the lands of *Mosquitos*, translated copies of the orders sent by that Court to the temporary Governor of *Jamaica*, D. Aluredo Clarke, and the superintendents commanders in chief of the *Coast of Mosquitos* and of its establishment in *Yucatán*, Don Jaime Lawrie and D. Eduardo Marcos Deipard; and copies also of the two Royal Orders which under this date I send to the chiefs of *Guatemala* and *Yucatán*, by which documents you will be informed of everything that concerns this matter, not having to advise you of everything else except to

provide the said two chiefs with the help they may need and ask for in the prompt execution of the Convention.

God keep you, etc.

San Ildefonso, September 24, 1786.

Señor Viceroy of *Mexico*.

Señor Viceroy of *Santa Fé*.

Royal Cédula Directing the Expansion of the Conquest of
Talamanca and That the Missionaries of Guatemala
Shall Enter the Mountains Every Year with Soldiers. Doc. 178

SAN LORENZO, November 19, 1787.¹

THE KING.

To the Governor and Captain General of the Provinces of *Guatemala* and President of my Royal Audiencia therein:

Don Pedro de Salazar, when he was Governor and Captain General of those provinces (in compliance with the orders contained in the Royal *Cédula* of December 24, 1764, which was the result of a report made by the Guardian and Council of the Seniors of the College of Christ Crucified of that Capital, relating to the state in which were the missions in their charge) stated in his letter of January 31, 1766, that since he took possession of the government of that Kingdom, he looked with particular attention upon this important matter and that according to the reports and information he had received, said College maintained active Missions among the heathen Indians in the Provinces of *Talamanca*, *Tologalpa*, *Leán* and *Mulía*, and had already established, in the first one of these, four villages named *Nuestra Señora del Pilar de las Tres Ríos*, *San José de Orosí*, *Nuestra Señora de Garabito* and *San Francisco de Térraba*; two in the second, *San Antonio Abad* and *Nuestra Señora de Africa*; and two others in the third, *San Miguel del Carmen* and *San Francisco Liquigüí*; but that he deemed it necessary, for the maintenance of these villages and the progress of the conquests, that, in the three capital cities of the said three provinces, there should be made every year a recruiting of soldiers, who in sufficient

¹ Archives of the Indies. Shelf 101. Compartment 1. Bundle 22. Fernández, X, p. 214.

number should enter with the missionaries into the forests, gather the Indians together and settle those of the same tribe, language and clan in places well provided with water and other suitable things, so that they would remain there; and that after making a new settlement, or mission, a report should be sent to that Superior Government, in order that for its improvement it should appoint more missionaries with salaries, the prelates to remove the monks when these should be ill or whenever they should deem it convenient, without asking for permission from the Government; and in regard to the salaries, a sufficient prerequisite to their payment should be the attestation of residence delivered by the Royal officials, without obliging the monks to present other documents as they were obliged to do by the Royal officials;

And if the Indians should escape, or if it should be necessary to abandon the mission, that in this case the missionaries ought to inform that Superior Government, in order that it could take the most suitable measures; and that as long as the monks should be maintained in their missions, they ought to be free from the trouble of presenting documents for the payment of their salaries;

And as to the desired improvement of the conquests of *Matagalpa*, that it was quite necessary to conquer beforehand the *Zambos* and the *Mosquitos*, because these people with gifts and threats obliged the Indians of those mountains to guide them to the Christian villages located on the frontiers with the object of repeating their hostilities; and that it was no less important that these Indians should be taken from their mountains through the places already explored by the missionaries and brought to the interior and settled in places next to those inhabited by Christian people, from where they could not escape so easily;

And that according to the reports he had received from competent persons, it should be possible by this means to gather in villages, in little more than two years, the heathen Indians who live in the forests of *Comayagua*, if the necessary soldiers would go there with a chief satisfactory to the missionaries, because they were surrounded by Christian villages; and that because this measure, which was taken at the beginning of the conquest, had not been continued, there were wandering in those forests many apostates, a fact of which the missionaries complained in their reports presented to that Government.

In the following letter of April 1st, 1768, the same Don Pedro de Salazar referred to the petition made by the Guardian of the said College and the President of the active missions of *Talamanca*, for the removal of the village of *San Francisco de Tér-raba* to another place less exposed to the raids of the barbarians and for the establishment of a guard of soldiers paid by my Royal Treasury in the settlements of the Northern mountains of the Province of *Costa Rica*; and that this matter having been examined in a meeting held on December 10, 1767, this expedition had been considered as very suitable, because, the heathen Indians being thus punished, a better result would be obtained with much saving on the great amount of money of my Royal Treasury which was expended in support of the missionaries and in gifts for the heathen Indians; but as the Fiscal had requested that my advice should be taken before putting this measure in practice, he was doing so.

Therefore, he was ordered by letter dated October 27th of the same year, that he should report as soon as possible whether the active missions of the Province of *Talamanca* had any villages, and if without any serious harm, the Indians of the village of *Térraba* could be added to those and distributed among them; because if this disposition was possible, my Royal Treasury would save the salaries which were paid to the missionaries of said village; and that in the meantime he should appoint a garrison of 10 or 12 soldiers to guard its inhabitants.

Things being in this condition, the Guardian and Council of the Seniors of said College stated in a memorial on August, 1769, that as they were working in the improvement, catechising and conquest of the heathen Indians of four tribes called the *Chánguenes*, *Donazas*, *Dolegas* and *Guaymies*, who live within the jurisdiction of *Panama*, under the Government of *Santiago de Veragua*, which territory borders upon *Talamanca*, the Regulars of the Company of Jesus were opposed to them, maintaining that they were entitled to that work, and that the Audiencia which then existed in that province having declared it was so, therefore they had given out their undertaking;

But inasmuch as so many years had passed and the said Regulars had not undertaken anything, Don Félix Francisco Bejarano, Governor of *Veragua*, having pity on those Indians for the

spiritual damage they were undergoing for lack of missionary workers, reported the case to the Viceroy of *Santa Fé*, who, by common consent of the other Royal authorities, ordered said College to again take charge of the said missions. And that in virtue of this order the College appointed immediately two missionaries, who started their apostolical work and succeeded soon in settling two villages;

And that they were stating the aforesaid in order that he would be willing to approve the said appointment and grant a salary of 200 pesos to each one of the monks who were engaged in those conquests for their necessary support and clothing, and 130 pesos more for wine, wafers and wax, it being understood that this grant ought to be made from the time when they started their work among the Indians; and they asked also for some other things that it was the custom to give for new settlements.

In another statement on the same date, the said College insisted upon the petition presented to that Superior Government for making an entry with armed people into the mountains of *Talamanca* to take out from there the apostate and heathen Indians, which by invading and attacking the villages of converted Indians did great harm to them, since this idea was indorsed by the reports of the Governor of *Costa Rica* and had been approved in the meeting of authorities which was held in that capital on the 10th of May, 1767.

And having considered these petitions and also the one relating to the same subject which had been presented to me by my Council of the Indies in advice of May 10, 1770, I was pleased, as to the first one, to approve the concession and delivery to the College of Christ Crucified of the conquests of said four Indian tribes named the *Chánguenes*, *Donazas*, *Dolegas* and *Guaymies* of the Province of *Veragua*; and I ordered the Viceroy of *Santa Fé* by *cédula* of July 8 following, that he should direct the Royal Treasury of *Panama* to pay to the missionaries the suitable salaries and 132 pesos for clothing and also the other things which were necessary and due to them in such cases, acting in this matter discreetly, so that having regard for propriety, my Royal Treasury should not be charged with anything superfluous; and that he should report on everything for my approval;

And as to the second matter relating to the attempted entry

with armed people into the mountains of *Talamanca*, although it had been supported by the Board of the Royal Treasury in its meeting of December 10, 1767, above referred to, by the Archbishop who was then in that diocese, Don Francisco José de Figueredo, and by said Don Pedro de Salazar, according to what had been resolved in another meeting held on June 5, 1726, and approved by Royal *cédula* of May 21, 1738, considering how difficult this undertaking was and how different the circumstances were in that time, when the Indians were considered as being docile and inclined to Religion, and that afterwards they were found to be, on the contrary, ferocious and barbarians, and that their agility and the impassability of the territory, led to a doubt as to the good results of the expedition, I was pleased to resolve that it should be carried on apostolically by the missionaries protected by a small guard;

And that in order to enable me to act upon what was determined in the said meeting of the year 1767, my Royal Audiencia, as well as the Most Reverend Archbishop and the ecclesiastical and municipal councils, should report as to which territories these expeditions could be made in, whether the Indians of *Talamanca* had intercourse with the Negroes *Mosquitos* and *Zambos* and whether these latter hindered their conquest; and that they should propose the means they deemed best for the expedition planned and state the profit and good results that could be expected from it; and to this end there was despatched the necessary Royal *Cédulas* on the 8th of said July, 1770.

In reply to these, the Most Reverend Archbishop and the ecclesiastical council of that holy church stated in their letters of March 1st and November 30, 1771, the difficulty of giving their reports, on account of the scarcity of data about the territories that it was intended to conquer, and the lack of means to acquire information, the Archbishop adding that the scheme of going to the missions with troops, in whatever manner it might be planned, never would bring a heathen into the Church, and that those who might come in this, or any other violent way, would only form a nursery of apostates, which would be an ignominy to the purity of the Gospel.

The municipal council of that Capital having no data either, managed so as to get some from the governors of *Costa Rica* and

Veragua, Don Juan Fernández de Bobadilla and Don Félix Francisco Bejarano, whose reports were forwarded in certified copies with letter of July 1st, 1777. The former, in his report, only stated that he deemed the entry into the mountains with troops to be dangerous, because it was not easy to surprise the Indians, as they watch with the greatest alertness every movement; and because in the village of *San Francisco de Térraba* there were many conquered Indians who, having their parents and relatives in the mountains, used to give them notice of any new occurrence; besides, the Indians were very clever in the way of escaping, and the soldiers did not know the roads and trails leading to their places to assault them. And if the entry was determined upon, it ought to be made with 150 picked men, who in the beginning of March should assemble in *San Francisco*, a suitable place to establish the camp, and there the force should be divided into sections in order to make the entry by different ways; and that each section ought to take some Indian guides and a missionary to conduct the march in such a manner that all the soldiers should arrive at the same time to the *palenques* which they intended to surprise. And though he had not topographical knowledge of those territories, he deemed said village of *San Francisco* and that of *Boruca* were suitable points from which to make the entry and in which to store the provisions and other things. And that the Indians of *Costa Rica* were not fitted for this undertaking, on account of being afraid of those in the mountains; and although they had 150 who would do their duty, the people of *Santiago de Alange* in *Chiriquí*, Province of *Veragua*, were better prepared for this undertaking, because they were at ceaseless war with the *Zambos* and *Mosquitos*, on account of the damages they received from them; and that they were good friends with the Indians of *Atirro*, *San Francisco* and *Boruca*. And that in order to avoid the damages which he feared from this expedition, he deemed it convenient to settle between *San Francisco* and *Boruca* a village of picked people of the province of *Costa Rica* and that of *Veragua*, assured and maintained by my Royal Treasury during the first year, whilst they were able to cultivate the land, with a leader of experience and 25 paid militia men, which should make continuous raids and guard the missionaries in their entries, because in this manner the said two villages could be defended

against the injuries they might receive; and that the Indians of the mountains seeing that their intercourse with the *Zambos* and *Mosquitos* was cut off, they would submit more easily.

The Governor of *Veragua* (after giving a description of the territory of the Province of *Talamanca* and a relation of the uprisings of the three tribes, that live in it, named *Cabécaras*, *Viceytas* and *Nortes Térrabas*, of their disposition, brutal character and cowardliness, especially if they hear the discharge of a gun, of idleness they show in not taking benefit of the great amount of gold that is to be found in their territory, being contented with their crop of maize, plantains and some wild fruits) stated how important was their conquest and the prevention of the loss of so many souls, and the opening of communication in the province of *Costa Rica* with the Northern Sea by rebuilding the city of *Santiago de Talamanca*, which was burned and destroyed by the Indians in the year 1610; and also to drive from that coast the *Zambos* and *Mosquitos*, who besides other injuries, do that of introducing through every place, clothing from *Jamaica* and *Curazao*; and likewise to take out from the mountains said tribes and settle them on the southern coast, establishing villages which could serve as stopping places in going to the provinces of *Tierra Firme*, as has been ordered by several Royal *Cédulas*;

And that the only manner in which this could be done was to send an expedition to take them away from the mountains and settle them in fertile, comfortable and useful places upon the southern slopes, so that, being obliged to live a civilized life, they could learn the Religion better, as it had happened with those of *Buruca* and *Térraba*;

And that for this undertaking he deemed unnecessary the schemes and expenses proposed in several meetings held in that Capital, especially those of September 9 and 11, 1716, which had been approved by the Royal *cédula* of May 21, 1733, because after the years that had passed since and the present altered circumstances, it was possible to do it with 100 men armed with guns, bayonets and sabres, who should be accustomed to walk the mountains, and 50 other picked men of the village of *San José de Orosí*, and 50 more of that of *San Francisco*, armed with pikes and *machetes*, to carry the necessary supplies and to serve as guides; and that the proper time for doing this was the summer

and that six months would be required to take from the mountains the three tribes. And as this season lasted only three months in those parts, in one month the *Térrabas* could be taken out, and in another the *Cabécaras* and *Viceytas* in the following manner: the first month to reach the mountains, the second to take them prisoners and the third to take them out; and that to insure their settlement, they should stay in each one of the villages that might be settled 12 families to help the missionaries; and as the good result of these conquests depended on the management of their leaders it was necessary that these missionaries should be the most expert ones;

And that the entry to the *Térrabas* should be made by the road of *San Francisco* with 50 Indians of that village and 50 soldiers of the province of *Alange*; and that at the same time 50 more *Costa Rican* soldiers should enter, with as many Indians of *San José de Orosí*, and attack the *Térrabas* by the side of *Cabécara*, so that they could not escape, and that in like manner the entry to the *Cabécaras* and *Viceytas* could be made during the next summer.

And that these three tribes were enemies of the *Zambos* and *Mosquitos*, on account of the harm they received from this people, who took prisoners many of them and sold them to the English, for which purpose they used to come by *Bocas del Toro* and the *Rio de la Estrella* and go into the mountains from those places;

And that by means of this conquest a communication could be established between that Kingdom and its last province, *Costa Rica*, and those of *Veragua* and *Alange* of *Tierra Firme*, a convenience which has deserved my Royal attention as stated by several Royal *cédulas* issued since the beginning of the present century;

And that as the *Chánguenes* were on the border of the *Talamancas'* country, and that the missionaries of both Kingdoms, separated by a journey of 20 days over a lonesome road, belonged to the College of *Guatemala*, it seemed to be necessary to make efforts to overcome the difficulties of the conquest of *Talamanca*, which in his opinion were far from being as great as those that were found in the conquest of the provinces he had in charge, which conquest he had made without a single mishap, notwith-

standing the *Chánguinas*, *Doraces* and *Gualacas* Indians were more to be feared than the *Talamancas*; and that by these means my Royal intentions would be realized, as well as the spiritual happiness of so many souls, the increase of settlements and vassals and also a safe trading by land, with the profits and riches offered by a country so rich in pearls, purple-shell and several other things.

Such was the state of things when the Guardian and Council of the Seniors of the College of Christ Crucified of that Capital presented a memorial on January 9, 1778, in which they stated that although at their request, and by Royal *cédula* of July 8, 1770, there was committed to their charge the conquest and submission of the Indians *Guaymies*, *Chánguenes*, *Donasas* and *Dolegas* of the province of *Veragua* and they had undertaken it with great zeal, it was impossible for them to continue their work on account of the lack of missionary workers, for, of the 22 monks who formed the community, 9 were incapacitated by reason of their many years and ill health, and there remained only thirteen for the exercises of the cloister, the missions over all the provinces and the other urgent obligations of the Institute, to which should be added the obstacle of a distance of more than 600 leagues from that Capital and the lack of means to maintain the monks in those conquests on account of the scarcity of alms;

And they prayed that I would deign to relieve them of that and entrust it to other monks of the Kingdom of *Santa Fé*, who might be nearer and have the means of which their College was lacking; and leave to this College only the three conquests it had in *Guatemala*, that is to say, those of *Talamanca*, *Térraba*, *Leán* and *Mulia*, in the provinces of *Costa Rica* and *Comayagua*;

And in regard to this detail I was willing to order that reports should be sent in, and this was done by Royal *Cédulas* of November 13, 1779, directed to my Viceroy of the *New Kingdom of Granada* and to my Royal Audiencia, recommending again to the latter that it should forward without the least delay the report that by Royal *cédula* of July 8, 1770, it had been ordered to make on the planned expedition to the Province of *Talamanca*, with a statement of the condition in which the College of Christ Crucified was in, the number of its members and their circumstances;

And in pursuance of these *cédulas*, the said Viceroy stated (in

letter of June 22, 1780, with reference to the papers of all the business that since the beginning of the present century had taken place in that Government, relating to the conquest of the said Indians of *Veragua*) that if the missionaries of that College would abandon it, its complete ruin was to be feared, because it was not easy to find monks who might have the required practical knowledge of the territory, the distances between one place and another, the character and customs of the said Indians, and also of other information necessary for their pacification;

And that besides he did not know whether there were any monks in the district of that Viceroyalty who with more comfort and less distance could take in charge such a useful enterprise because in the Kingdom of *Tierra Firme* and the provinces of *Panama*, *Veragua* and *Portobelo* none of the orders had the necessary number of monks, and even in *Santa Fé*, where the principal headmen of their provinces resided, those of Santo Domingo, San Agustín and San Francisco complained of the lack of the necessary monks for the service of the Institute and the missions they had in charge, to say nothing of the great expenses for voyages by sea and land which would be charged to my Royal Treasury.

Successively there were received from the Audiencia a memorial of October 6, 1780, and two legalized instruments, stating the reasons by which its reports on the planned conquest had been delayed and offering to make it as soon as the Governor of *Costa Rica* would forward the map and other data which it had requested from him for its better instruction;

And that in the meanwhile it was sending two statements concerning the said College relating to spiritual and material matters, which comprehended the missions and the individuals who were working in them, considering as very just the request made by the said College to be relieved of the missions it had in the province of *Veragua*, as well on account of the great distance from that Capital, as for the difficulty the community had in maintaining the necessary number of missionaries for so many affairs.

Later, that Audiencia sent five certified documents with another memorial of March 6, 1782, three of these relating to what had happened in the conquest of the heathen Indians of *Talamanc*

since the memorial presented to that Superior Government by the *Visitador*, Fray Francisco Xavier Ortiz, in the year 1754, the raids made against the villages of *Cabagra*, the settlement of that of *Garabito* and the removal of this latter and that of *San Francisco de Térraba* to a more convenient place, the entries to the mountains for taking out the Indians who had escaped, the records of the meetings held in the years 1757 and 1767, with the information taken on the matter, the requests made by the missionaries of that College to be put in charge of the missions of *Buruca*, *Atirro* and *Tucurrique*, which were under the care of the Observantines of the Province of St. George of *Nicaragua*, because being located at the foot of the mountains of *Talamanca*, this conquest would be easier;

And the other two certified documents related to the measures taken in compliance with the cited Royal *cédula* of July 8, 1770, and with the other ones delivered afterwards; and with reference to these documents, and especially to the report made to that municipal council by Don Félix Francisco Bejarano, which has been mentioned, that Audiencia stated that according to the experience it had with that Kingdom and with others in America, it believed that the only means for the conquest, maintenance and improvement of the missions, was to use arms and money of the Royal Treasury, and that without these means, the missionaries would sacrifice themselves uselessly, because, far from being improved, the missions were going backward each day, on account of the raids of the barbarians, the impossibility of resisting them in the villages of the borders, and their daringness which was increasing with the success of their evil deeds;

And that although it was convinced that the Gospel could be spread without using the armed force, it also knew that the natural means were not opposed to its high virtue, the Church having had many times recourse to the Christian Princes to oblige the heathen to listen to it and to protect the preachers and neophytes against the hostilities of the heathen nations; and that the neophytes ought to be given comfort and good treatment in order that they would embrace with pleasure the faith, because being satisfied with their lives under it, they would call the other Indians; and that notwithstanding the laws provided what ought to be done with them, as a rule they were not complied with, and

even when this was done, very often the means were inadequate, adding that it deemed it very important that I should deign to order that the salaries of the missionaries should be paid without any other document but the testimony given by the Guardian stating that they were working in the holy ministry, because the good use they made of their salaries was well known, as they generally spent the money in behalf of the same tribe, depriving themselves of the comfort they could get through it; and that the officials of the Royal Treasury affecting in this and other similar cases more zeal than they really have in the discharging of their duties, were in the habit of vexing them with very expensive requisites for the payment of what very justly belonged to them on account of their apostolical work;

And finally that the Colleges of Propaganda were extremely useful, for which reason and the knowledge it had of the distance between the missions of the Government of *Costa Rica* and that Capital, the Audiencia reproduced the report made on October 6, 1780, stating how important the establishment of another College was in *Veragua*, which Governors ought to be instructed to treat well and protect with particular care such meritorious monks, as they had been ordered on many occasions to do.

And my Council of the Indies having considered all the aforesaid, the report of the General Auditorship made with knowledge of all the antecedents and also the opinion given by my *Fiscal*, it advised me on August 3 of the present year;

And in spite of the slow progress made until now in the conversion of the Indians of the Province of *Talamanca*, by reason of their natural unsteadiness and perverse inclination, I have ordered that their conquest must be henceforth pushed with vigor, as well because it is very important to relieve them of the errors of the heathenism into which they are plunged, as to preserve the villages already converted and relieve them of the raids they have undergone so often;

And that to this end there must be adopted the means proposed by the Most Reverend Archbishop who was in that Diocese, Don Francisco José de Figueredo, the Guardian and Council of the Seniors of the said College, and your said predecessor, Don Pedro de Salazar, in their respective reports of August 27, 1761, May

28, 1763, and July 5, 1766, these means being the yearly recruiting in the three capitals of the three conquests, and in the most suitable time, of a number of soldiers, as large as may be considered necessary, so that they shall enter the forests with the missionaries, gather the Indians together and settle all of one same tribe, language and clan in places provided with water and the other necessary things for their support. But this recruiting must be made with the greatest consideration and with care that the people that are to be taken from any place shall not be necessary for the defense of that place in case of an invasion;

And that the leadership of these troops must not only be intrusted to the missionaries, but also to a man who as its chief shall command it; and this latter must act in harmony with the monks, whose opinion (they having better knowledge of the conditions of the territory and character of the Indians) will be very useful in reaching a good result; and although by reason of their religious ministry they are not fitted for being intrusted with the command of the troops, they shall concern themselves with and take care of the distribution of the money given for this matter, omitting in their accounts any trifling expenditures; and in this understanding, I order and command you to provide whatever may be suitable for due compliance with this my Royal resolution;

And as other reasons that have hindered the progress of this conquest are the difficulties and legal proceedings interposed by the officials of the Royal Treasury to the payment of the salaries and the expenditures made by the missionaries to obtain the good will of the Indians, clothe and settle them in villages, build houses and churches for them and the other things that the College stated in 1763 were owed to it, which items do not require the same number of schedules as those of another kind, I order you likewise to direct that the missionaries shall be paid all that justly is owed to them, and that the testimony given by the Guardian that the monks are working in the holy ministry shall suffice to warrant the payment of salaries, and this shall be done in this way having consideration for the zeal they have shown in their apostolical labors; but declaring, as I declare herein, that the missionaries cannot and must not be removed without permission of that Superior Government and that of the ordinary Dio-

cesan, and not even be appointed *ad interim*, because all this is prohibited by Law 38, Title 6, and Laws 9 and 10, Book I, Title 15, of the *Recopilación* of those Kingdoms;

And in order to avoid the danger that the enterprise might be fruitless by delay in carrying out the measures that must be taken, I have resolved likewise that the missionaries shall be allowed to assemble the Indians provisionally by themselves in such places as the circumstances may permit, and as they are taken out from the mountains, without waiting for the permission of that Superior Government, which permission shall only be indispensable in case of a permanent settlement; but directing the missionaries, as I direct them by *cédulas* of this same day, that they shall inform you of such provisional settlements which they might deem convenient to make, with a correct statement of the number of Indians placed in them and other circumstances, on account of the interest that these data might have;

And as to the petition made by the said College as to being relieved of the missions that it has in charge in the Province of *Veragua*, considering the decline and backwardness that is to be feared they would undergo by the sole fact of a change of hands, even if those who might take them in charge would dedicate themselves to that work with the same zeal and eagerness, because at least they would lack the knowledge of the territory and other circumstances that experience has given to their predecessors, without which knowledge the success of an affair of this kind is hazardous, I have resolved to refuse the said petition and to recommend again to it the improvement and catechising of those Indians, assuring it of the foundation of the College proposed by my Royal Audiencia for the province of *Veragua*, which it is my Royal will to make when the conquest of *Talamanca* shall have been attained;

And finally, as to the petition also made by the said College to that Superior government in the year 1771, asking that its missionaries should be given charge of the missions of *Buruca*, *Atirro* and *Tucurrique*, which are under the care of the Observantines of the Province of St. George of *Nicaragua*, because being located at the foot of the mountains of *Talamanca* the planned conquest would be easier, I have resolved by *cédula* of this same date, to direct the Provincial of the said Province of Observantines of

Nicaragua to order that his monks shall do everything in their power to aid the missionaries of the College towards success in the said undertaking;

And you shall take notice of the aforesaid for your understanding, and also that, by Royal *cédula* of this same day, my Royal Audiencia is ordered to work on its part for the most happy success of the said expedition;

And you shall report to me, through my undersigned secretary, the progress that may be made therein, so that I may be informed, because such is my will; and these presents shall be registered in the said General Auditorship.

Done in San Lorenzo, November 17, 1787.

Countersigned by the Secretary Don Antonio Ventura de Taranco.

An Account of the Journey Made at the Order of the King by the Naval Lieutenant of the Royal Marine, Don José del Río, to the Islands of San Andrés, Santa Catalina, Providence and Mangles, on the Coast of Mosquitos. Doc. 179

TRUJILLO. (Honduras), August 23, 1793.¹

The Island of *San Andrés*, situated with its center at Latitude 12° 32' and 75° 42' of Longitude West of the meridian of Cádiz, presents one of the most pleasing of objects.² Its position among a group of small islands, keys and sand-bars puts it in front of the *Coast of Mosquitos* and distant therefrom 40 leagues. Its extent from North to South, as shown on the plan, is seven and three-quarter miles, and from East to West at its greatest dimension approximately two, resulting in an area of fifty millions of square *varas* (Spanish yards).

¹ Archives of the Indies of Seville. Audiencia of Guatemala. Copies of the Governors, Presidents, years 1803 to 1804. Peralta—*Límites de C. R. y Col.*, p. 138.

² The Island of San Andrés is found at 12° 30' North Latitude and 80° 43' Longitude West from Greenwich, according to the most recent maps of the English Admiralty Office.

The bay generally has a rocky margin and the points stretching farthest to the West are clear, the other port to the East less so, with rocks and very white and fine sand, and a reef which makes it inaccessible.

On the western side, where the anchorage is, it has two mountains, that stand out from the rest of the Island, which is generally mountainous, but without forming ravines or precipices, the slopes being very smooth, so that most of it is level and susceptible of cultivation. There is no river, nor brook, nor are any springs known, so that the inhabitants are compelled to use water from cisterns or wells, which water is impure and contains some nitrogenous particles.

Among the trees and shrubs with which the whole island is covered are found the ceiba (silk-cotton tree), orange, lemon, *agansa*, *almácigo*, *yayti*, lancewood, pepper (of fine quality of which some shipments have been made to *Cartagena of the Indies* and it has been preferred to the pepper of *Tabasco*), cocoanuts, papaws, plantains, bananas and all the vegetables that pleasure or necessity may seek to raise.

Cotton is the characteristic shrub of this island, and cultivated it acquires a superior quality and various shipments are made to *Cartagena*.

Many of the colonists are engaged in the industry of growing coffee and sugar-cane for their own use, from which in small mills they make a sugar that is very regular in color, not at all like the brown sugar of *Havana*.

Indigo and tobacco are abundant and what I have examined of the latter is of a moderate flavor and has large leaves. It is true they do not elaborate its culture as they do in the fields of *Havana*, but perhaps they will approximate it; they raise enough, however, for that habit and make much use of it.

I have recognized various medicinal herbs for use in troubles of the animal economy, such as *aperlampaze*, *sioamo* or *abeleño*, *abervena*, *yerba terrestre*, *brusco*, *celidonia*, *lengua de buey* and others.

As the inhabitants have been changing in their stay in this island they have not taken up the development or breeding of cattle or horses, and so have no more than is needed for their work, contenting themselves for their daily food with the domestic

animals of which they have plenty, such as swine, turkeys, and hens; and hunting is so easy that without leaving their homes they can kill enough for their families, and with the help of roasted plantains which is their daily bread they live without any lack of food.

The birds which are the most abundant in that country are the parrots, magpies, doves, mocking birds, mabifuncos, frigate birds, and sea gulls, not recognizing any poisonous one among the reptiles or insects.

Its small inlets are full of fish of very fine flavor, and they especially abound in sardines which are much like those of Galicia, although not in size, nor certainly in that exquisite flavor.

The fishery for turtle and turtle shell is an interesting branch, which they engage in without much labor or cost, using a small canoe, a net and a negro to tend it, leaving it till the next day and then raising it with what is in its meshes. This fishery is carried on in the North and East of the island, where it is smoother and better feeding grounds.

The walks that I have taken in the preparation of the plan to various houses have led me to go all over the island, the advanced season of the year not permitting me to go except on foot; and with other reconnaissances of *Providence* and *Mangles*, I have noted that none of the tree growth is very high, nor are the trunks very thick, and this I attribute to the character of the soil, which is somewhat sandy and stony and does not permit the roots to get a large amount of nutriment, nor to take their natural bent, so that they are left on the surface and from a dangerous interweaving for one on horseback and very troublesome for one on foot. For some four years there has been noted here a worm that does great injury to the cotton plants, burrowing in the roots, so that the crops have not been so abundant. The coming of these insects is attributed to a great hurricane that blew from the South-east some four years ago and brought the infected seeds, but it is said that it is being exterminated.

The calcination of much of the rock and some that is composed of lava makes me think that the island had its origin in some volcanic eruption.

The diseases to which they are subject here and which regularly attack them are obstructions, dropsies and fevers in the months in which they are general throughout the Americas, but with the use of gin they prevent the former, and just before my arrival a woman reached the age of ninety years before she died.

The number of inhabitants on the island, as shown by the general statement that goes herewith, reaches a total, including all classes, ages and sexes, of 373 persons, who live without forming a village, each family on a farm of its own, as shown by the plan, with the paths by which they communicate.

The labor in the fields is generally in the cultivation of cotton, in which they occupy the greater part of the year with the whole operation, taking out the seed with very simple machines which are easy of operation and not at all complicated and which they or their slaves make as they need them.

The exportation of this article, which is the only commerce of the Island, as actually shown in my examinations, is to *Cartagena*, but the vessels that seek to load at this market are not enough for the requirements of the trade, so that they are compelled to store their sacks until some one who has the largest crop and has a Master of a vessel comes to take advantage of it, and then await opportunity for making remittances, selling at low prices and getting in return a little wine and clothing that is very necessary if they do not go to *Jamaica*.

The adornment and bareness of their houses, the poor character of their clothing and the lack of luxury for their women, all indicate that they possess no more than is necessary for existence, and they are content with only a little over so as not to lack butter, rum and wine from Madeira, which are their luxuries, and constitute the splendor of their reciprocal banquets, by means of which they cultivate a certain degree of friendship, and are thereby enabled to keep order without a magistrate; a third party settles any disagreement that arises, and to his decision they willingly submit.

I purposely refrain from discussing the religion, for I have seen none that was public, and will only say generally that it is Catholic and Protestant.

To land on this Island there is no need of a pilot. The three views accompanying the plan show everything for the guidance

of a pilot, sailing from West to East. In front of it and at sight of it he will turn more to the South before getting within a pistol shot, he will see the cove called the *West Harbor*, and will proceed to an inlet, and, without entering, will anchor in ten or less fathoms of water. It is sheltered from the winds of the first and second quadrant, but for the others it is necessary to set sail when they come from the Northwest or Southwest which prevail from October till January.

On the Eastern side there is no anchorage for vessels that draw more than six or eight *palmas* (a span, or measure of eight inches), and a pilot is needed to navigate and enter among the channels in the reefs.

ISLANDS OF CATALINA AND PROVIDENCE.

The center of the Islands of *Santa Catalina* and *Providence* is situated at North Latitude $13^{\circ} 26'$, and Longitude $75^{\circ} 19'$, West of the meridian of Cádiz,³ distant from the Island of *San Andrés* on the North-west eighteen leagues, both islands being visible from the other on clear days.

The Island of *Santa Catalina* is separated from that of *Providence* by a narrow strait on the North, as shown on the Plan, and is not at all interesting. Its soil is almost covered with stones and the steep hills which dominate it are full of irregularities so that it is of little value. On account of its ruggedness it was preferred by the Pirate Morgan in the latter part of the last century, as a better place for the concealment of the piratical vessels with which he infested many coasts, and on the point traces of a battery with cannon, (as indicated on the Plan) are seen, with two cannon of sixteen caliber dismantled on the shore and rotting with age. No one inhabits it and it scarcely is more than a mile in extent.

Providence extends from North to South four miles and from East to West two miles, with an area of thirty million square yards. The land is more favorable on account of the character of its black soil, free from stone and which it is easy to remove and good for ballast because of its size and solidity.

³ These islands are situated at $13^{\circ} 21'$ North Latitude and $81^{\circ} 23'$ Longitude West of Greenwich.

From the surface of the sea and the most salient points the land rises gradually to the centre of the island in the shape of an amphitheatre, presenting four hillocks covered with vegetation and some patches of stone. From the crest of the eastern mountain there flow from springs four streams of water that run in different directions to the shore, dividing during their course into small brooks, the water being very delightful and of exquisite taste on account of its continual agitation in its windings and the stony nature of its channels; only in seasons of drought is the water in the river that flows to the region called "Fresh-water," preferred as being more abundant and clear.

The timber that is most valuable, though small in quantity since the English from *Jamaica* have cut over the forests, is cedar, mahogany, acana, silk-cotton tree and the nut trees—the only food of the first inhabitants for their support until their plantations began to produce, and which now serve to feed the pigs; some of them are a little like our nuts, but remotely.

The only medicinal plants that are known are the roots called *rata* and *china*, the first excellent for venereal diseases; it is steeped in three pints of water and when a third has evaporated it may be taken. It acts in a natural way, I am informed. The other plant is a good quieting agent.

There come bands of mountain pigs, tortoises, *oficiteas*, large crawfish and troublesome rats which like the seeds, but no poisonous animals are known. In the list of flying creatures there are parrots, doves, *turpiales*, mountain canaries and other less known kinds.

The reefs, keys and sand-bars that surround both of these islands are frequented by many kinds of fish and by an extraordinary number of sharks, turtles and hawk-bill turtles with the shell of which a very good trade is had with *Jamaica*. There are some pearls, and what I have seen are of the size of an ordinary *garbanzo* (chick-pea); when taken out they have a rose color.

There are four families living on the Island of *Providence*, having a total, including all classes and sexes, of thirty-two persons. The richest one and the only Catholic is Francisco Archebol, a widower with an only daughter of the age of seven years,

who is his great favorite. He is very religious and will not be content until he sees her among Spaniards sent to *Havana* for a better education. He asked me for a Spanish flag and that I should give him some authority in that island, to better prevent the liberties taken by the vessels from *Jamaica* in the cutting of timber and other excesses, which I complied with—his request seeming a proper one—until the higher authorities may otherwise direct. He has, with his negroes, negresses and mulattoes, twenty-one slaves, and he cultivates cotton in a planting of 176 square yards, amounting with the other crops of maize and the rest to 59 thousand. The other heads of families, Juan John, Andrés Brown and José Hyggs, are Protestants, and among them they cultivate eighty-eight thousand square yards of cotton and thirty-nine of other crops.

The only trade that is carried on with the cotton crops is with *Jamaica*, but without being able to do it themselves and they are compelled to sell it to the vessels from *Jamaica*, which having none of their own, come for the turtle and shell fisheries, thus providing them with clothing and other articles in exchange.

They enjoy very good health and the oldest of them has not been ill, nor have they known any of the prevailing diseases, principally those of fevers and dropsies, which are characteristic of *San Andrés*.

Their harbors, being surrounded with reefs, serve to shelter vessels that draw only ten or eleven feet, a pilot being necessary to navigate in them, but now it will not be absolutely necessary having the Plan which I have prepared, which accurately shows all the things that now exist.

A pilot seeking to anchor reaches the North side of *Catalina* and, seeing the hill most to the Westward from it, follows the direction of the coast by the sounding of six, five, three and two fathoms, till he anchors, and then he will be in the harbor that is called *Catalina*. From this port, if he wishes to go to the Southwest, he will coast along the Island of *Providence* on the Western side, as the route is traced, and he can stop at all the points with anchors, but the first will be the best as being in front of the watering place.

ISLANDS OF MANGLES.

These islands have heretofore been considered of considerable extent but they can be classed as keys. The largest is believed to be from five to six miles from North to South and four from East to West, with an area of ten millions of square yards. The smaller, in the same way, only has an extent of five millions of square yards, and is distant seven miles from the *Great Mangle*, at an angle of twenty-two degrees in the first quadrant.

The observed Latitude in which the larger is located is $12^{\circ} 18' 30''$, its Longitude West of the meridian of Cádiz being $85^{\circ} 21'$, and distant from the mainland East-West nineteen leagues, as shown on the geographical chart herewith.⁴

The soil and the products of *Great Mangle* are analogous to those of *San Andrés* and *Providence*. The three small hills which rise from North to South—the one in the middle being the highest—are covered with thickets and only the cocoa palms rise above them, there being no trees from which a board twelve inches wide could be taken.

Its coasts are surrounded with reefs without forming any port and there is no safety from the winds of the first and second quadrant except in the bay called *Bergantín*. The whole shore, with the exception of some beaches, shows evidences of volcanic calcination, with ferruginous rock from which, a brief analysis shows, copper may be taken, and in some places, perhaps, more precious metals.

No springs of water are found, but it is easy to take it from clear pools and with a good taste. The cattle with which it abounds will amount to four hundred head, as I was informed by the only possessor, Don Guillermo Hodgson, having the fortune to have three small lakes and good pastures.

It abounds in wild hogs, of excellent taste, but so afraid of us that it was difficult, although they were plentiful, to get them even with a gun.

Don Guillermo Hodgson, who is the only inhabitant of this island, with his mother and a brother, has formed a small settle-

⁴ The Island of Great Mangle, (*Mangle Grande*) known on the English maps by the name of "Great Corn Island," is situated at $12^{\circ} 10' N.$ Lat. and $83^{\circ} 4' W.$ from Greenwich.

ment on the northern side, as appears in the Plan, and the number of the slaves that live there, including all ages and both sexes amounts to 102 individuals and 43 dependents, with 30 transient Indians. They are now cultivating cotton.

The oppressions of the Indian Sulera and his party, which resulted in the death of that Indian at the hands of George, the Chief of the *Mosquitos* Indians, was the reason for his withdrawal from *Bluefields* and his establishment in this Island; here, after having suffered the destruction of their houses and their work in that place by this wretch, they built a defense to receive him, on account of the design he had formed of coming to it and to surprise it and burn them alive. But at present all is quiet since his death and they only attend to the development of their defences.

The *Small Mangle* (*Mangle Chico*)⁵ is not inhabited and is generally destitute of forest; a large savanna is seen that occupies most of the high land, while the shore is fringed with Coconut trees. The turtle hunters from *Jamaica* regularly land there and carry on their fishing on the North and North-west sides, which is all a reef and extends out a mile and a half into the Sea. On the South side, as will be seen from the Plan, is the most sheltered point and the only one that has the natural advantages of an anchorage, being also the only one, although small, which I have noticed in all my investigations which gives the greatest security for vessels of all kinds.

Sometimes the locusts come—every three years, they say—lighting on the herbage that pleases most their taste and destroying everything they meet.

With these views and being situated, both of these islands, in the shoals of the *Coast of Mosquitos*, taking the precaution to make soundings, anchorages may easily be made without the need of a pilot, if one has before him the special Plan of them and the geographical chart.

GENERAL REFLECTIONS.

Animated then by the desire of being in some way useful to the State, and inspired by all those sentiments that make for good order, method and clearness and which are required by a recon-

⁵ *Mangle Chico* is "Little Corn Island," on the English maps.

naissance and the other observations with which I have had the honor to be charged, the sacred character that I recognise to this paper, after being submitted to the superior authorities, and which may perhaps decide the destiny of these islands, and protesting that my only purpose is to serve the King and the general welfare of the Nation, let me state some things which I have deduced and analysed from practical observation.

It may be considered as a general axiom, both in the moral and in the political field, that any establishment which does not yield some advantage to the State, in the order of our present system or in the course of time, is not admissible. On account of this truth it has seemed to me opportune, and responsive to the sovereign will that directed me, to submit to our wise Ministry and to Your Excellency, that the English who inhabit the Islands of *San Andrés* and *Providence*, being already recognized and declared by the Royal mercy as subjects and under the Law which our august Sovereign seeks to impose upon them, and what is more in the cordiality they have manifested for catholicism and to see their children educated in the Spanish tongue and in its customs, it is a sign in no wise equivocal that draws to us another portion of the flock of Jesus Christ—families useful for population and industry which constitute the backbone of the State.

I do not attempt to enumerate the immense sums the Treasury has suffered in the modern establishments, or how many families have been restored by emigration to those Colonies. And those that have survived, how languid and inert they are, becoming useless and generally embarrassed, either by the diseases that come from a change of climate or the intense heat to which they are not accustomed, so that they hardly dare to take a step beyond the bounds of their habitation, which results in leaving the country in almost a primitive state. It is not so with the colonists of the Islands of *San Andrés*, *Providence* and *Mangles*. The 41 families which compose the whole of their population are very interesting, both on account of their number and their industry. Accustomed to the climate and to labor in it, they offer positive advantages to the State. But have the Islands of *San Andrés*, *Providence* and *Mangles* been made thus advantageous? No, Señor. These islands are profitable to their present holders, but

not to the King, nor to the Nation. Of the thirty-five millions of square varas which their lands will aggregate, I consider two-thirds as cultivable, and the rest useless by reason of the rocks that cover its surface, except for the wood that is required for consumption.

If there were some Spanish families added to these colonists, those who could not take any slaves with them by reason of their poverty, they would be subjected to the parcel of land designated for them, becoming in some way dependent upon the old possessors, and the scant crops they would raise would induce them to sell at low prices, in order to clothe themselves, and improvement would be very slow and perhaps hindered among our countrymen.

It is unquestionable that in comparison with the other small islands that are in this sea these are the largest and the most fertile. But are they interesting to us in comparison with other establishments of considerable extent, with anchorages and with products which we should have? No, Señor, the clandestine trade which they privately carry on with *Chiriquí*, *Matina*,⁶ *Bluefields* and the *Coast of Mosquitos* will be better safe-guarded with the possession of the islands in those of the actual possessors. The expeditions to *Jamaica* from whence they get the merchandise for their trade, is very profitable to them on account of the easy route it affords them, and so it is necessary to separate them and have them better under observation. But these islands have no safe port, their anchorages which are temporary do not offer in the course of events and political revolutions a shelter for war vessels, nor transports.

Their local situation and most of their products, being abundant throughout the continent and the islands, are not such as to lead to a gathering of vessels, which gives life to and makes the character and development of an island.

The great profits of illegal trade break down the most sacred bonds. This is an inducement which I look upon as one of the main things that led the inhabitants of these islands to ask our Monarch (may God guard him) to continue in the capacity of subjects. But can they conceal, in proof of my assertion, that

⁶ Note that by so competent an authority as Don José del Río, *Chiriquí* and *Matina* are not included in the *Coast of Mosquitos*. M. M. P.

they are faithful and that their commerce and their crops are sold in our ports as they have promised? I do not think so; they send to *Cartagena of the Indies* some pounds of cotton and, according to private information that I have, this is no more than they gave me as the general statement of the crop, and the remainder, which amounts to 70,000 pounds, sold to *Jamaica*, where in exchange they come back to the islands and maintain a contraband trade with the main land. And will it be easy to root out this monopoly? It is not easy, and an active Governor or *Comandante* could do little in this case; and if the force was given him to make himself obeyed, they would be offended, the Treasury would incur expense and nothing would be gained; and so I am of opinion that if establishments are to be made in *Bluefields* they should be associated and connected with this region. It is certain that interest inspires them, which is essential and indispensable in man, and not wholly love for our domination, as they would wish to make us believe, but still, doubtless, as they have shown me, they would be willing to give up part of the benefits resulting from the bargain and be subject to more dependence gathering in the settlement of *Bluefields*, it being the section of the coast with the best climate and it is fertile and the meeting place of the Indian Nations, to which is added the safety of its anchorage and the vigilance of its expeditions.

I could write much more fully if I desired to detail to Your Excellency all my reflections, as to which perhaps Your Excellency may be well informed, but by way of continuing my reasoning I will submit to Your Excellency that Don Guillermo Hodgson, the sole inhabitant of *Mangles* has been the object most worthy of attention and the most interesting that I have met in that region. I took care to analyze his conduct, in the light of some not very favorable reports that were given to me in *San Andrés*. I was assured that he is expecting a vessel from London with a rich cargo which he did not mention to me. His appearance and the planting that he is making of cotton show his permanence, although on the other hand he expressed his displeasure and states that he only remained to collect a credit which he had with the Royal Treasury. His vague and vacillating observations were full of mystery, though many times they veiled good sentiments. He complained of the conduct of the inhabi-

tants of *San Andrés*, and the latter paid him back by saying he is ambitious and wants everything for himself, which I attribute the origin of this charge to the more or less benefits arising from the underhand trade.

But, at the same time, I must say to Your Excellency that I think this inhabitant will be very useful in case of an establishment under the charge of a clever Governor. He is well acquainted with the Coast, its Indians and provinces, and he can give strength to what the King and Your Excellency may direct in this region. He offered me all his authority for the prompt completion of my commission, generously aiding me with a sloop that he owned to go to *Mangle Chico*.

With a clever Governor or *Comandante* at the head of these colonists, who number, including all the Islands, 556 individuals who are industrious and skilfull in all rural undertakings and who handle the axe and the hammer with pleasure, and having eleven vessels, they would make a good establishment, going to the said *Bluefields*, without expense from the said Royal Treasury for their emigration, since generally all have gained enough on our coasts to be able to do it at their cost.

Let them be granted some privilege, and restrict their trade to that with *Havana* and *Cartagena*, in which ports they will find the commercial articles that are exchanged with the nations of the Indians, and especially those of the banks of the river *Escondido* which empties at *Bluefields*. There, as the metropolis of all that coast, and the only market place, will be gathered all the products of the Lagoon of *Chiriquí*, the River *Matina*, the *Laguna de Perlas*, *Sandibey*⁷ and other places of the coast which are now with entire freedom carrying on contraband trade with these Islanders and those of *Jamaica*, it will be cut off and the valuable effects that they draw from it will come to our ports, especially in mahogany, shell, resins, sarsaparilla, cacao, skins and some silver, getting back for the trade with the Indians our manufactures such as spirits, ordinary clothing, knives, axes and other trifles; with this they will be content and as in this case they will

⁷ Sandy-bay, the mouth of the River Arena or "Sandy River" where there is formed a well sheltered inlet, to the South of Cape *Gracias á Dios*, in Lat. 14° 32', North, and 83° 18' Long. West of Greenwich. M. M. P.

not be smugglers they will not like the Jamaicans to appropriate exclusively the trade, and so will be glad to assist in the arming of one or two Coast-Guard vessels to patrol the *Mosquito Coast* and the keys, and in this way will be indemnified through their gains.

What advantages as a legitimate and necessary result does this not present? The Indian tribes who inhabit the provinces included between *Bocas del Toro* and the *Laguna de Perlas*, in default of vessels visiting their river and bays, and those that do come being entirely free to do so, will be compelled to seek the new establishments to pursue their trading, and so at once we will see these savages, now wandering in tribes and quarrelling among themselves, contracting bonds of friendship with constant bargaining and trade with the new Colony. Their necessities and some desire for luxuries among them will make them more active, more industrious, and disinclined to barbarism, and they will daily become more civilized and sociable, and perhaps, by the mercy of God, Catholics and less burdensome to the State as they are now on account of the frequent gifts. I say the same of the Indians who are to be found between said lagoon, Cape *Gracias á Dios* and others, who do not cease importuning the *Comandantes* of the establishments, but with no idea of gratitude beyond the moment of receiving some provisions, which in my view is the inducement that keeps them idle, vagrant and insolent.

It will be very essential and necessary to have some Spanish families associated in the new establishment, with privileges, and domestics or others—slaves would be better, for the labor of the fields—carrying out in this way the intentions of the King, the early increase of the population and development of religion, commerce and many economies, it being indispensable that the Chaplain knows the English tongue, since none of the new subjects understand Spanish and it would be easier by use of that language to make them proselytes.

It is clear that an active Governor who has some ideas of the routes to the ports and seasons, will always be effective in preventing any arrangement that may be worked up in favor of clandestine trade; the smugglers who come from *Jamaica* and the vice of this trade will be stopped.

The small islands adjacent to or about the islands and the main

land offer nothing but the fishery of turtle and shell, products which the English of *Jamaica* avail themselves of readily, after having visited the coast and provided the Indians with guns and powder; this is an evil that has bad results.

I have located on the Chart that accompanies this paper, at their true latitude and distances, the *Albuquerque*, *South-west Keys*, and the others adjacent to the Islands; and in front of the coast the *Pearl Keys*, *El Pitte*, *Lobo Marino* and the rest; their smallness and their rocky character make them dangerous to navigators unless accompanied by a pilot.

Perhaps it may seem strange at first sight that I advise the abandonment of the Islands of *San Andrés*, *Providence* and *Mangles*, and that I add that it is desirable, even if the present possessors do not wish to go to the mainland.

If under English rule the development of these Islands will be advantageous, it would not be so under ours; their possessions as compared with ours in that region is as one to a hundred; the State should not suffer expense to maintain them; the adventurers who present themselves to the Government to obtain permission to come and establish themselves are not burdensome, and so it had the advantage of making rich subjects on our coast and more will come in view of the expeditions that they undertake. Our possessions are vast and we have many points to cover. To sustain them with population and with detachments is not to our interest as I have already said, even in the light of the greatest economy: the communication with them is necessarily slow and in case they are invaded it would be difficult to sustain them.

Remaining uninhabited, it is easy to watch whether some families settle there, the Coast-Guard of this region or of *Cartagena* reconnoitering every year and bringing away those that are found located there.

I must not pass over in silence, but bring to the mind of Your Excellency (by the analogy that it has in my reflections) the fact that the vast designs of England in the war of eighty-two against our possessions in America, caused a strong establishment to be planned in the Island of *Providence*, capable of being used as an armed place for their conquests and to resist any attack which the Spanish might undertake. With this in view the

Council of State at last resolved to give the final orders for the transportation of troops and supplies to the said Island. I can only admire, referring to the Plan, the enormous expense which England incurred in taking only the artillery and the supplies to an island where vessels could hardly land drawing ten and eleven feet of water and with the magnitude of the undertaking it could not have been less.

The plan the Government proposed was, after taking the castle of *San Juan de Nicaragua*, as they had already done, to attack *Nicaragua*, *Granada* and *León*, and to make these conquests, which they considered would be very easy with five thousand men, and to make a diversion in *Comayagua*, in order to call attention to that part: but peace was made and the project was left unexecuted.⁸

The success of this enterprise which they confidently predicted would easily have made them masters of the whole Province of *Nicaragua*, and in time would have afforded them an opportunity to foment an insurrection in the neighboring provinces and perhaps in the whole of America. These are their words:

"Having taken these cities of Spain, in the arrangement for peace *León* and *Granada* would be given back to it, leaving *Nicaragua* in our hands,⁹ where the Catholics will be taken who wish to go from Ireland and England, so that in this locality they can raise up establishments at their pleasure, free of exactions, and all nations who wish to trade with them will be permitted to do so, free from impost or export duty, designating a premium to the natives of both sexes who shall contract marriage with the new possessors, since it will be a stimulus in view of the premiums the freedom and religion, so that the Spanish subjects in that region will raise a cry for our rule."

If it is certain, Most Excellent Sir, that the English mean to carry out this undertaking at some time, which I greatly doubt, this seems the time to change to a system capable of preventing such serious consequences.

I would like to fix and gather together the sum of the advan-

⁸This refers to the peace of Versailles, of 1783. M. M. P.

⁹*Nicaragua*, now the city of *Rivas*, is situated in the narrowest part of the Isthmus which separates the *Lake of Nicaragua* from the *Gulf of Papagallo*. M. M. P.

tages and disadvantages that are presented, but lack the geography of the province, the communication of the roads and true direction of the *River San Juan* and its banks, which discourages me for such an undertaking, but Your Excellency with this information would appreciate the most interesting thereof.

IDEA OF THE CHARACTER OF THE INDIANS.

The tribes or clans of Indians which inhabit the coast from the *River San Juan de Nicaragua* to *Cape Gracias á Dios*¹⁰ may be considered as numbering from four to five thousand individuals. They are engaged in the chase and turtle fishing, which they exchange with the English every year, the latter seeking in every way to draw them away from any allegiance to us, letting them have in exchange powder and muskets, which makes them more daring. The barbarism in which they live is far from the natural life of the savage; the vices they have learned from English sailors make them insufferable and it is very seldom that they show any moral sense. They have no religion and consider as oracles the conjuring of their medicine men and witches, who are said to consult with the Devil who presents himself to them in a thousand different shapes and whom they regard as the only one for good or evil in their belief; but they conduct no public worship.

Their customs, even in their common diversions, are monstrous; their greediness has no limits. They are robbers and would be guilty of shedding our blood if they did not fear the valor of the Spaniards. We always give them proofs of the most sincere friendship; but the flattery that is used toward them, accompanied with presents, is not enough to attract them; they are extremely lewd and have all the women they can support, treating them like slaves, being so exceedingly lustful that young girls of eight to ten years are not free from their violence.

I have treated with many of them and those who have come to my ship have generally been Admirals or Captains, but they could not talk except to ask for spirits, which they drink until they are overcome.

George, the Chief of the *Mosquitos*—the one they call the

¹⁰ That is to say the *Coast of Mosquitos*.

"King"—receives all the marks of respect from his Indians due a sovereign. He assumes a certain gravity which makes him more feared than loved; he is in fact cruel, even toward the fair and weaker sex that he idolizes and signs of his brutality are seen, for it is rare that a woman that he uses does not appear with her shoulders covered with scars.

Now, inflamed with the death of his adversary, Sulero, which he has just brought about in the *Laguna de Perlas*, he seeks to do the same with all the Chiefs of the other tribes, and thus remain the absolute despot. On my return to Cape *Gracias* I had news of what he had done and there was some fear he might seek to attack the establishment by surprise. I doubt if he would be bold enough to really surprise a post where he had shown special pleasure at the reception that he had received and the defenders of which had endeavored to give him a pleasant and agreeable day; but he does not hesitate at any change and fear of treachery, he seems to want to break the friendship which shows them the piety and affection with which our beloved Sovereign desires they may be treated, more as a principle of regard toward them with charity and the desire, by gentle means, to attract them to religion, which they view with hatred because it does not permit a plurality of wives.

No permanent friendship is to be expected from them, nor will they abandon the idle and brutal life in which they live. Force and contempt will be the most powerful means of bringing down their pride and undertaking perhaps the beginning of our system.

They are cowards. Let us take great care that the English do not have access to their coast, and that they do not get anything except from our trade, particularly that they do not get powder, balls and other arms.

To take George and his brother from the sight of the Indians is easy and the time will arrive when it should be done.

APPENDIX.

One of the most particular charges which H. E. Señor Don Juan de Araoz, *Comandante general* of the Squadron and Port of *Havana* gave me on my departure, was that under my orders I give all the special facts that could serve as a guide in the navi-

gation of *Mosquitos* and its islands, as much of the present information is vague and uncertain.

Under this special request I purpose to prepare a chart of that region, making it an addition to the principal object of my commission, which was only to reconnoitre the Islands of *San Andrés*, *Santa Catalina* and *Providence*, which are located in varying latitudes, longitudes and shapes, as shown by my examinations.

Also I was met by the constant conflict of opinions of some mariners, and among them many of the class of pilots, who have sailed to *Trujillo* and Cape *Gracias*, as to the true situation of this region, deduced from the combination of various observations and sighting of land, but all were agreed that our maps are full of errors, on account of the fact that we have not navigated those waters very frequently.¹¹

The English nation, always zealous to extend more and more its commerce and conquests, has looked upon our dominions in this region as a most interesting point for both objects. From the conquest of *Jamaica*, which established the freedom of clandestine commerce, they have never ceased to land on our shores and carry away its immense and rich products. This grows by permission and has been a help to its greatness, and gave rise to the first chart which was carefully prepared by Mr. Smith Speer and was printed in London in the year Fifty-four, dedicated to the Prince of Wales; this was successively confirmed by a series of many observations of longitude and special plans until the modern ones of the year Eighty, by Romans, and of Eighty-four, by Jefferis, which are the most correct yet made and of which there have been repeated editions.

In the last war, His Excellency, the Marquis del Socorro, *Comandante general* of the Fleet in America, knowing the importance of a map which should show correctly the local and true situations where he was to operate, ordered a meeting of the most skilfull pilots who had most practical knoweldge of those waters, and with their journals, data and plans a chart was prepared which appeared under the title of "*Cuarterón de San*

¹¹ This observation of D. José del Río is very just and it is only necessary to compare the charts of D. Tomás López, of D. Juan de la Cruz, of D. Juan López and others unpublished of the last century with the modern ones to note the considerable errors. M. M. P.

Martín," the chief pilot of the Fleet presiding at this meeting; and this has been considered by Spaniards as the most exact, as it is in fact, although it has some mistakes, particularly as to the *Coast of Mosquitos* and the true situation of its islands both as to latitude and longitude.

The interest of truth, the most ardent desire to be in some way useful to the shipping and to those establishments, have led me to investigate the foregoing authors, to whom I added Esteban Field, and to compare shapes, latitudes and longitudes, and with all the differences in view I have always come around to Jefferis and Field for exactness from the many voyages I have made in those waters, especially in the directions in finding the Island of *Providence*, on the great bank of the *Bahamas*, from *Monte Cristo* to the *Port of Delfin* on the coast of *Santo Domingo*, and the eastern part of *Florida*, from *St. Augustine* to *Georgia*, and other points where I have sighted land in the true location. This confidence acquired with practice, the astronomical longitudes of *Matanzas* and *Puertobelo*, of the meridian of Paris and meridians of my projection and ratification, with my own observations, have led me more and more to prepare the Chart which I submit of this part of the globe—the most exact yet prepared up to this time and arranged for the meridian of *Cádiz*.

I have done no more than to give certain expression to the location of some coasts in their natural situation and more regularity to the islands and banks in their latitudes and longitudes, according to my data, accompanied by other observers.

I ought to add that one of the objects I have had always before me in the preparation of this chart, besides the respectful request, was that the authorities and navigators might see at a glance the situation and internal communication of the rivers, establishments and the ports, in order to determine the routes to take from one to another.

The course I have followed from *Havana* and which is indicated on the Chart from *Santanilla*, is very interesting and worthy of adoption because of the easy and quick transportation of provisions and other articles to Cape *Gracias* and the successive establishments, without it being necessary to take the route to *Trujillo*, as has been the custom heretofore and beginning another voyage to the said establishment, thereby causing long delays and

considerable expense and perhaps the need to seek shelter on account of the strong winds they encounter; in some cases there have been disastrous results to that detachment, on account of the lack of food and medicines, for these spoil by delays.

The series of latitudes of the sun and stars, made from my sighting land to the leeward of the lagoon of *Cartago*, has convinced me that the coast to Cape *Gracias* and *Trujillo* is more to the south by twelve to fifteen miles than the charts give it; its direction is more nearly to the East than to the South-east of the Cape aforesaid; this has been corrected in my new delineation.

Before reaching the Coast I recognized *Santanilla*, which I passed at a very short distance, taking sight of it, and found it well located; this is much to be regarded, since it permits with more precision the entry into the harbor at *False Cape* and anchorage can be had in the western part, safe against the gales whilst awaiting a more favorable time.

I ought to state that the bay of Cape *Gracias* cannot afford an anchorage with the safety of a port, for, for simple glance, without any further examination, shows that the narrow channel cut through a small isthmus by the English to secure communication with the great *Segovia* river for taking out timber, has already become an arm of the river, and carries along so much soil and trees which lodge on the shoal that has been formed in conjunction with the key called *San Pío*, which is the one that makes the port safe, and it is observed that since our establishment the depth has diminished near the said key about three feet.

From this bay I proceeded to the Island of *San Andrés*, sailing South in sight of land, in eight or nine fathoms of water as far as *Point Governor*, from which point I sailed South-east to find said Island, as the route showed. This latter, as well as those of *Providence* and *Mangles*, are located in their true latitudes, distances and directions; but I was sorry not to be able, with greater exactness, to verify the observation of longitude, not adjusting the distances in time with my route, and even in *Mangles* I made the effort, hoping to take the distance from the Sun to the Moon, but the weather was so bad, raining twenty-four days constantly, that I could not wait longer on account of the requirements of my commission.

The strength of the currents is not so excessive as many claim for this coast. I made my voyage with light winds in the months of April, May and June, and I did not find the currents very marked, but it is true there are currents, and on this coast they generally run with more force to the South-east.

The tides in the bays of the Islands are not regular and their greatest rise is three feet.

The prevailing winds in March are North-east, with some squalls and strong gales; in April and May they are light; in June and July much rain falls, accompanied with great disturbances and land breezes from the fourth quadrant; in August and September the breeze is from the North-east and South and is very soft; in October they begin to come from the North and continue until February; they are the most feared by reason of the ravages they cause on this coast.

All the coast of the main land, from *Bluefields* as far as *Río Tinto*, is very low ground and is overflowed from the lagoons and channels of the rivers during the rainy seasons, which are extraordinary.

I use the names given by the maps for the Indians who inhabit the coast and the banks of the rivers.

The high lands that begin at *Bluefields*, for the South, and at *Río Tinto*, for the West, are represented for a better understanding of the coast, but between these two points there is no object of remark, it being very low and level.

Trujillo, August 25, 1793.

JOSÉ DEL RÍO.

Doc. 180 Royal Order to the Captain General of Guatemala Concerning the Defense of the Mosquito Coast and Appointment of Don Tomás O'Neill as Governor of the Islands of San Andrés.

SAN LORENZO, November 6, 1795.¹

In the Council of State of the 16th of October last, an account was given to the King of the representations made by the Captain

¹ Archives of the Indies. Audiencia of Guatemala. Copies of the Governors Presidents. Years 1803 to 1804. Peralta—C. R. y Col., p. 251.

General who preceded Your Worship, Don Bernardo Troncoso, on the 5th of March, 1794 (No. 302), in compliance with the Royal Order which was communicated to him on May 20, 1792; H. M. was advised of the reconnaissance made by the Lieutenant of the Royal Armada, Don José del Río, of the Islands of *San Andrés*, *Providence* and others; as also of the opinion of this officer as to giving them up and the transfer of their inhabitants to the establishment at *Bluefields* on the main *Coast of Mosquitos*; and of the support that this idea received from the said Captain General; also of the claim of del Río as to the double enjoyment which in like cases the commissioners have obtained, and concerning which the said Captain General reported favorably in a letter of February 2, 1793, with extension to the pilot and second pilot, concerning the Royal Treasury of this Kingdom.

Likewise, H. M. was advised of the effort of Don Juan and Don Tomás Taylor, residents of the Island of *San Andrés*, and the agents of its inhabitants, directed and supported by the Viceroy of *Santa Fé*, December 19th last, towards the appointment of Don Tomás O'Neill, Lieutenant of the Regiment of *Cartagena of the Indies*, as Governor.

I. In view of all these facts and of what was stated in the conference by various persons concerning one or the other of them and the excesses committed by the English and the liberty taken by vessels from *Jamaica* in cutting mahogany, cedar and other woods which are found in the Island of *Providence*, H. M. has resolved: first, that for the present the English shall not be compelled to evacuate the island and collect together at the establishment of *Bluefields*, but they shall only be influenced and persuaded thereto at a suitable time and by prudent measures, continuing meanwhile within the bounds approved by H. M., and a Governor shall be placed over them, dependent upon your Captaincy-General, who may watch the conduct of those inhabitants, and that in those islands flags shall be displayed and other signs of possession and dominion in the name of His Majesty.

2. That with this object and others relating to the defense of said *Coast of Mosquitos* there shall be kept in view the plan in reference to the arrangement of its establishments and that of the veteran troop and of the militia of the Kingdom, concerning which provision was made for your command in Royal Orders

of March 20, 1794, and May 8, 1795, that report be made as to what is desirable.

3. That in order to repress so far as possible the excesses committed by the English and the liberties they take by the vessels from *Jamaica* in the cutting of timber, some way should be considered of levying a tax or well regulated duty.

4. That there be made to the Naval Lieutenant of the Royal Armada, Don José del Río, the allowances which are customary and usual in such cases, and that the same be done with the pilot and the second pilot, in respect to which H. M. does not wish to change the practice or prejudice the allowances which they ought to have.

His Majesty has also been pleased to appoint as Governor of the said Islands the aforesaid Don Tomás O'Neill, and he *desires that Your Worship suggest the salary that can be designated for him*, in respect to which the said inhabitants are required to maintain it, and that the Viceroy of *Santa Fé* report whether he believes it necessary to fill the position left vacant by said officer in the regiment stationed at *Cartagena*.

I advise Your Worship by Royal Order for your information and compliance. May God keep you many years.

San Lorenzo, November 6, 1795.

To the Captain General of *Guatemala*.

ALANGE.

Doc. 181 Description, Historico-Geographical, Political, Ecclesiastical and Military of South America, by Fray Manuel Sobreviela, Missionary of Ocopa.

LIMA, Capital of the Viceroyalty of Peru, 1796.¹

CHAPTER II.—DESCRIPTION OF THE VICEROYALTY OF SANTA FÉ.

According to the positive separation of the Viceroyalty of *Santa Fé* from that of *Peru*, made in the year 1740, the limits of both Viceroyalties were indicated—the *Ensenada de Tumbes* (Inlet of Tumbes) on the side of the coast of the Pacific Ocean,

¹ British Museum. Spanish manuscripts. Addenda: No. 15,740. Peralta, *ubi supra*, p. 245.

and the Province of *Jaén de Bracamoros* and *Maynas* on the side of the *Marañón* or *Amazonas*—so that the Viceroyalty of *Santa Fé* extended at that time 312 leagues North and South, from the 12th degree of North Latitude to 3° 35' South Latitude, counting these degrees of Latitude from the North Sea to the Inlet of *Tumbes*, which separates it on the South side from the Viceroyalty of *Peru*. And from East to West the land inhabited by Spaniards and civilized Indians has at the widest part 300 leagues, from Longitude 291°, about the meridian of the Island of Hierro, up to 306°, that is, from the River *Chiriquí*, of the Kingdom of *Tierra Firme*, which is the dividing line of this Viceroyalty and of the two Americas, by the district of *Costa Rica*, of the Province of *Guatemala*, as far as the neighborhood of the Gulf of *Maracaibo*.

DESCRIPTION OF THE KINGDOM OF TIERRA FIRME.

The Kingdom of *Tierra Firme* is bounded on the East by the Province of *Cartagena*, from which it is separated by the River *San Juan*;² on the West by the RIVER CHIRIQUÍ, which serves as the boundary of the Province of *Costa Rica*, in the Kingdom of *Guatemala*; on the North by the North Sea and on the South by the Pacific. It is two hundred leagues in length from East to West; that is, from the River *Atrato* or Gulf of *Darién*, as far as the RIVER CHIRIQUÍ, and eighty in width from North to South, at the widest part, which is from the port or bay of *Mariato* to the point of the bay or port of the River *Chagres*.

This kingdom is divided into three provinces, which are *Panama*, *Veraguas* and *Darién*.³

²The River San Juan, otherwise called the Atrato. M. M. P.

³Don Antonio de Alcedo, in his famous Geographical Dictionary of the West Indies (*Diccionario geográfico de las Indias Occidentales*), published in Madrid in 1785-1789, describes the Kingdom of *Tierra Firme* and the province of that name in these terms:

It has the same name as one of the said three provinces, which make up the Kingdom: it is between that of *Darién* on the East and that of *Veragua* on the West; it is 55 leagues in length from the jurisdiction of the *Alcaldía mayor* of *Natá*, by a line which runs from the *Escudo de Veragua*, in the North Sea to the village and headland or islet of *Guarare* in that of the South, and on the opposite side another line runs from the great beach on the North Coast of the Province of *Darién* to Port *Que-mado* on that of the South, etc. M. M. P.

ART. 2.—DESCRIPTION OF VERAGUAS.

It is bounded on the North by the North Sea; on the South by the Pacific Ocean; on the East by the Province of *Panama*, and on the West by the RIVER CHIRIQUÍ, which divides it from *Costa Rica* and Kingdom of *Guatemala*.

It is sixty leagues from East to West, from the city of *Natá* to the village of *Chiriquí*, and eighty in width from the Cape of *Conejos* on the South Sea to the extreme of the ESCUDO DE VERAGUAS in the North Sea.

It has a hot climate and generally the country is mountainous and rough, although there are some plains, on which cattle are raised upon excellent pastures. In the mountains are found many beautiful woods and they abound in wild beasts, birds and animals. It is very rich in mines of gold, from which a great deal has been taken; but now there is no work done, on account of the excessive cost of transporting materials and provisions over those rugged sierras. It was discovered by Christopher Colombus in the year 1503 and it was thickly populated by the *Doraces*, *Guaymies* and other Indians, and although the subjection of many Indians was effected in the year 1624, afterwards they relapsed into barbarism and withdrew into the mountains, until in 1700 some missionaries of St. Francis came from *Guatemala* and at the cost of enormous labor and fatigue established three villages called *Dolega*, *San Antonio* and *Las Palmas*; and in the year 1785 there came from Spain to *Panama* twenty-nine missionaries of the same order, and having established a college in the same convent that there was of St. Francis, they proceeded to the conversion of the *Guaymies* Indians, *Norteños* and *Mosquitos* of those they had already established two villages called *Tolé* and *San Antonio de Guaymí*.

On September 8, of 1788, the wild Indians came into the settlement of *Dolega* and took the life of the Father President of those subjections, Fr. Antonio Galíndez, and they left seriously wounded and for dead his companion, the Father Fr. Ramón Rábago.

The capital of this province is of the same name, with the appellation of *Santiago*. It was discovered by Christopher Columbus in 1503 and he gave the name of *Verdes Aguas* (Green

Waters) to the river called *Veragua*,⁴ on account of the green color of its waters, from which the name of *Veragua* is derived for the whole province. It is a small city, but in a very good situation; its climate is hot and humid; it abounds in maize, yucas, plantains and cattle and especially swine. Its natives spin cotton and they make a purple dye from a shell-fish that they find on the coast of the South Sea, and with these and some gold which they take from mines they maintain a trade with the Province of *Panama* and that of *Guatemala*. It has a Governor and there is a tax levied on tobacco and spirits.

Besides the foregoing city, it has two others governed by two deputies. The first is called *Santiago Alange*, founded in 1521, by Benito Hurtado, alderman of *Panama*.⁵ It is small, but it abounds in fruits and cattle, with which a regular trade is carried on by sea with the city of *Panama*, and they send swine, mules, fowls, cheese and salt meat. There are also gold mines in that district.

The second is called *Nuestra Señora de los Remedios de Pueblo Nuevo* and at one time it was one of the best settlements of the province; here the Governors lived, on account of the advantage from the gold mines, called *Lobayno*, which was destroyed and the entrance to the mines has not since been found.

Many vessels were built at this city, as there was an abundance of most excellent timber near by. It is located on the shore of the South Sea, 35 leagues from its capital, *Santiago*.

Besides these three cities, this province includes twelve villages and five settlements of missionaries of St. Francis. These are:

1. *San Juan de la Montaña*.
2. *San Miguel de Laya*.
3. *San Marcelo de Tavaravá*.
4. *San Rafael de Guaymí*.
5. *San Felipe de Guaymí*.
6. *San Martín de los Cotos*.
7. *San Agustín de Ulate*.

⁴According to D. Fernando Columbus (Life of the Admiral), who accompanied his father, the name of *Veragua* or *Beragua* was the name the Indians gave to it, but the authority of this work is much contested. M. M. P.

⁵This refers to the town of *Fonseca*, founded by Hurtado. M. M. P.

8. *La Piedad de Changuin.*
9. *San Miguel de Changuin.*
10. *San Pedro y San Pablo de los Platanares.*
11. *San Pedro Nolasco de Doraces.*
12. *San Carlos.*

And the six *pueblos* of the conversions are:

1. *San Antonio de Guaymí.*
2. *Las Palmas.*
3. *Tolé.*
4. *Dolega.*
5. *Gualaca.*
6. *San José de Bugaba.*

The troop that garrisons this province is reduced to a regiment of disciplined militia of nine companies, with 100 places in each; part of this troop lives in *Panama* and part in the town of *Santos*. A batallion of the same, of seven companies of 100 places each, is also maintained, part in *Veragua* and part in *Alange*.

ART. 4.—DESCRIPTION OF THE PRINCIPAL RIVERS OF THE PROVINCES OF THE KINGDOM OF TIERRA FIRME.

There are five principal rivers that water the Kingdom of *Tierra Firme*.

The first is the RIVER CHIRIQUÍ, which rises in the mountains in the South part of the Province of *Veragua* and empties into the South Sea or Pacific. *It serves as boundary to this province and to all Southern America which it separates from the Northern and from the District of Costa Rica in the Kingdom of Guatemala.*⁶

The second is the *River Chagres*, belonging to the Province of *Panama*.

The third the *Vávano*, Province of *Darién*.

The fourth the *River Tuira*, etc.

The fifth, the *Atrato* or *San Juan*, etc.

⁶ *Chiriquí*, says Alcedo in his Geographical Dictionary, is a river of the Province of *Veragua* which rises in the mountains of the south part and flows to the Sea, serving as the boundary of this province, which it separates from that of *Costa Rica* in the Kingdom of *Guatemala*. M. M. P.

Plan for Economies in the Military Government of Guatemala, by the Sub-Inspector Don Roque Abarca. Doc. 182

GUATEMALA, January 3, 1801.¹

A plan, prepared by the sub-inspector general of the Kingdom of *Guatemala*, Don Roque Abarca, in compliance with the directions in the instructions issued to him August 10, 1796, and of the Royal Orders of December 18, 1798, August 17, 1799, and October 25, of the same year, to ascertain what economies were possible in the military affairs of these dominions; in this report the cost of the troops in peace and in war is set out and what it will be if this arrangement is adopted, also the great wrongs now endured by the inhabitants of the country and the advantages which would result to them and to our Master, the King, if all that is written should be accepted.

FIRST PART.

The troops which this kingdom has maintained in time of peace, with a statement of the posts they occupy and the total cost thereof to the Royal treasury annually.

Staff Headquarters.

Permanent Regiment:

Colonel, 218 pesos per month.....	2,616.
Lieut. Colonel, 146 pesos.....	1,752.
Sergt. Major, 97 pesos.....	1,164.
2 Adjutant Majors at 51 pesos.....	1,224.
4 Colour Sergeants at 30 pesos.....	1,440.
2 Chaplains at 30 pesos.....	720.
2 Surgeons at 40 pesos.....	960.
2 Armorers at 14 pesos.....	336.
Drum Major, 15 pesos.....	180.
4 first-fifers at 12 pesos.....	576.
Second fifers at 10 pesos.....	480.
	————— 11,488.

¹ General Archives of the Indies: Shelf 102, Compartment 3, Bundle 28. Peralta—C. R. y Costa de Mosquitos, p. 295.

Company of Grenadiers:

2 Captains at 70 pesos per month.....	1,680.
2 Lieutenants at 44 pesos per months.....	1,056.
2 Sub-lieutenants at 34 pesos.....	816.
2 first Sergeants at 18 pesos.....	432.
2 second Sergeants, at 16 pesos.....	384.
84 enrolled men at 10 pesos per month.....	10,080.
Add for corporals, first and second Drums.....	96.
	<hr/> 14,544.

16 Companies of Fusileers:

16 Captains at 62 pesos per month.....	10,904.
16 Lieutenants at 40 pesos per month.....	7,680.
16 Sub-Lieutenants at 32 pesos per month....	6,144.
16 first Sergeants at 16 pesos.....	3,072.
32 second Sergeants at 14 pesos.....	5,376.
656 places for soldiers at 9 pesos per month....	70,848.
Add for corporals and drummers.....	2,112.
	<hr/> 106,136.

Militia of *Guatemala* and adjutants of the regiments and battalions of the kingdom are the only employees whom they have held and have kept with a salary.

In the capital there is always maintained under continuous salary, and under arms for the service thereof, one officer, five sergeants, the corresponding corporals and soldiers up to the number of 82 men of the provincial regiment of Dragoons, who, without counting the amount for the horses they maintain, require an expentiture by the Royal treasury annually of the following:

One officer considered as a Lieutenant, always at 40 pesos per month.....	480.
82 men at 9 pesos per month.....	8,856.
Add for sergeants, corporals and drummers, regulated with the small differences that it is customary to make.....	660.
	<hr/> 9,996.

15 Adjutants, one at 50 pesos monthly and the rest at 45 pesos, make for the year.....	8,220.
One commander of the two companies of militia of <i>Hermita</i> , allowed 30 pesos monthly under Royal Order of March 23, 1786:.....	360.
	<hr/> 8,580.

FORTRESS OF OMOA.

Permanent Company:

1 Captain at 62 pesos per month.....	744.
1 Lieutenant at 40 pesos.....	480.
1 Sub-Lieutenant at 32 pesos.....	384.
77 places at 9 pesos per month.....	8,316.
Add for sergeants, corporals and drummers....	228.
Clothing which the King gives this Company of linen, at a cost of 12 pesos per man.....	924.
	<hr/> 11,076.

Company of Artillery Volunteers:

2 Lieutenants at 46 pesos per month.....	1,104.
1 Sub-Lieutenant	432.
4 Sergeants at 20 pesos.....	960.
5 Corporals at 17 pesos.....	1,020
51 Artillerymen at 15 pesos.....	9,180.
	<hr/> 12,696.

Militia for Garrisons:

1 Captain at 62 pesos per month.....	744.
1 Lieutenant	480.
1 Sub-Lieutenant	384.
50 militiamen from <i>Sula</i> and <i>Santa Bárbara</i> at 9 pesos per month.....	5,400.
Add for sergeants, corporals, drummers, with small differences.....	396.
	<hr/> 7,404.

CASTLE OF THE GULF.

Artillery:

1 Sergeant at 20 pesos per month.....	240.	
2 Corporals at 17 pesos per month.....	408.	
17 Artillerymen at 15 pesos.....	3,060.	
Permanent soldiers who have their houses there with their families and are enlisted, 40 places, one more or less, at 9 pesos per month	4,320.	
	<hr/>	8,028.

PORT OF TRUJILLO.

In this establishment and others of that coast with some slight differences for each, the following for the militia:

6 Captains at 62 pesos per month.....	2,464.	
6 Lieutenants at 40 pesos.....	2,880.	
6 Sub-Lieutenants at 32 pesos.....	2,304.	
600 militiamen at 9 pesos.....	64,800.	
Add for sergeants, corporals, drummers, with slight differences in each.....	2,208.	
	<hr/>	74,656.

FORT OF SAN CARLOS.

Militia:

1 Captain at 62 pesos per month.....	744.	
1 Lieutenant at 40 pesos.....	480.	
1 Sub-Lieutenant at 32 pesos.....	384.	
100 militiamen at 9 pesos per month.....	10,800.	
Add for Sergeants, Corporals and Drummers.	432.	
	<hr/>	12,840.

GARRISON OF PETÉN.

Permanent Veteran Company:

1 Captain who is the commander of it.		
1 Lieutenant at 40 pesos per month.....	480.	

1 Sub-Lieutenant at 32 pesos.....	384.
48 places at 9 pesos.....	5,184.
Add for Sergeants, corporals and drummers...	228.
	<hr/> 6,276.
	<hr/> 283,680.

The cost of the troops in time of peace amounts in the Kingdom of *Guatemala* to the sum of Two hundred and eighty-three thousand, six hundred and eighty pesos, without including the considerable expenditures for the two establishments discontinued and that of *Roatán* which ought to be discontinued, and the reforms that should be made at *Trujillo*, *Omoa*, the fort of *San Carlos* and the *Gulf*, which will be discussed later.

This is the schedule that has been followed in these dominions, and besides being so expensive—so much so that means can hardly be raised to cover the cost—it leads to the disastrous results of decadence in agriculture, mining and in the population, which is sensibly diminishing daily, and which will at last only leave in the settlements widows and orphans who will be objects of commiseration.

The permanent regiment of infantry has been and is a most grievous devourer of men and its officers and soldiers are victims of the fatal climate. Vacancies after vacancies in all ranks, arising from deaths and chronic diseases, are the continual reports which come in the statements of the sick and well.

The members of the company of volunteer artillery of *Omoa* and those of the same class from the fort of the *Gulf* present such sad examples that it can be said that from their creation the casualties which have resulted from deaths are equal to the number of those that have been enrolled in both companies.

The increased number of militiamen who have garrisoned and are garrisoning the posts on the coast are so many more objects of compassion. These wretches perish in such unhealthy climates; they leave their families deserted in a most unhappy condition and the fields go uncultivated for lack of laborers. The way in which these unfortunate ones are made to serve is most extraordinary. Most of them become militiamen without being enrolled and they are taken to their detachments sometimes

bound or at least guarded by men on horseback; and when they do not desert on the road they take the first chance that presents at the place where they are stationed, exposing themselves to the danger of perishing in the wilderness, either from fatigue or lack of food, being eaten by wild beasts or poisoned by insects, for of many of these who have deserted the whereabouts is still unknown.

These true things will move the pious heart of the King to compassion. I have evidence of them in reliable reports; I have seen them and inspected them with the greatest feeling; and as I make the statement, pierced with the keenest sadness, I cherish the hope that by the present report many of these evils will be remedied.

The foregoing schedule therefore should be reformed and another one prepared which shall go to the root of these evils and lessen the increased cost to the Royal treasury, adjusting the due economies as they are so greatly needed by this kingdom in mining, agriculture and the increase in population. With this idea and after the most studious examination, calculation and combination, I have reached a determination of what it is desirable to establish, taking into account the funds of the kingdom, the local circumstances and other points that must be considered, and it is the following:

REGIMENT OF PERMANENT INFANTRY OF GUATEMALA.

This body, it is shown by experience, has existed only in name, being more of an injury than a benefit by its heavy cost. Always scattered in so many, such distant and such disastrous employments, it is and has been without that discipline or enthusiasm which union, economy and order would afford. The officers and troops feel a sort of helpless abandonment and will always be useless on account of the chronic ailments from which most of them suffer. Desertion is one of the greatest evils which the King and the State can suffer. It cannot be stopped by any local arrangement of the kingdom; and beside the loss of the soldiers and the increased cost thereby, many become highwaymen and commit other crimes as the natural outcome of their first offense.

Under the new plan for the permanent companies in the establishments of *Omoa*, *Trujillo* and the Fort of *San Carlos*, there will be no need for this regiment to garrison those stations in time of peace, and in time of war it would serve only in the way and under the arrangement that will be suggested.

By the Royal Order of May 8, 1795, and by Article 13 of my instructions it is provided that this regiment, if it shall be possible, shall be reduced to a simple battalion and practically this should be done, and I recognised the fact after having made the inspection. Beside the many expenses it necessitates upon the present footing, it does not seem to conform to the military plan of Spain in forming a regiment of such a small number of men, the total of which is 800 places, and the new regulation of the militia and the permanent companies which will be discussed, shows us that there is no necessity for this number of places; since even in time of war it will fix what is necessary, detailing their distribution among the posts in such way that the troops may be useful without exposing them to such sickness and to so many deaths.

The said regiment ought by all means to be reduced to a single battalion, composed of a commander, a sergeant-major, an adjutant, chaplain, sergeant, armorer, drum-major, four clarinets, four fifers, a company of grenadiers of a hundred men and four of fusileers of 120 places each, with a captain, a first-lieutenant, a second-lieutenant, two under-lieutenants, one first-sergeant, four seconds, four first corporals, six seconds and two drummers. This battalion requires a healthful destination where it can serve usefully and where the troops can be kept in health and well disciplined, so that they may be of value in time of war and serve as a standard for the militia under the new regulations.

There is no other destination in the kingdom that unites these and other requirements except the capital. In cash the saving will reach the sum of 9,996 pesos, which is expended annually in supporting the 82 militiamen who are under continuous salary in such service and relieve workmen from a task which beside being done unwillingly and with little care, takes them away from their work and the public suffers injury; and in addition to this they do guard duty contrary to what the King commands in his

ordinances; this having been practiced up to this time for reasons of economy, on account of the scant resources of this kingdom; so that if it should be required to perform the service as it ought to be done, it would be necessary to employ three times as many individuals, and then their maintenance would cost 29,988 pesos each year.

With the patrols that would continually make the rounds in this city, the battalion being established in it, there would be a quick remedy against the disorders, robberies and murders which are so frequent in this kingdom; but it is not easy to stop these abuses with militia, because it would increase the cost—and uselessly, since the patrols cannot be made up entirely of officers and the sergeants, and corporals of the militia would not pursue the offenders on account of the relations existing between them.

By the Royal Order of July 6, 1776, and by clause 8, Nos. 13, 14, 19 and 20 of the Royal *cédula* of September 21, 1775, which treats of the transfer of this capital, it was directed that a jail be built, and this could be done at very little expense to the Royal treasury, by reason of having a very suitable house in the old plaza, which can easily be put in good shape for such use.

This new battalion needs a new regulation, which will be mentioned. Experience shows that the daily pay allowed to the members of the permanent regiment is not sufficient, and therefore I submit it to the King as the result of my inspection. The captains who look upon this employment as the end of their career have been scantily regarded; and since the Royal treasury will derive so much benefit from the new plan, it seems to me just and equitable to make the increase suggested.

The formation of the new battalion will be made from among the most capable and robust officers, and the same rule will be observed as to sergeants and corporals; and the members of all these classes which are reformed will be provided for in the main plans for stations and militia, under Art. 13 of the instructions; and in view of the fact that there will be many unfit and therefore useless, a consultation will be held concerning their retirement or their being invalidated, everything being left to the care of the Sub-Inspector in accord with the Captain General.

FORTRESS OF OMOA.

The permanent veteran company will remain at this fortress, now made up of a captain, one lieutenant, one under-lieutenant and 77 places according to their regulation; but there being no captain, there will be appointed in his place a first-lieutenant—since he must be the commander of this company in his absence from the fortress, in accordance with Art. 10 of the Instructions.

There will be established a company of artillery, negro slaves of His Majesty, on the footing of seventy places, with two sergeants, four corporals and two drummers, who will be appointed from among their own number, adding thereto all the slaves of the King of fourteen years and upwards as supernumeraries who will be instructed like the rest.

These slaves are reputed to be the strongest men in the Kingdom and are the ones who best stand that climate. The sergeants will receive four pesos per month as compensation, above the ration they have assigned to them as slaves; the corporals, three pesos and the artillerymen, two pesos, with the annual amount of linen clothing which His Majesty gives to them, in lieu of the outfit to the other slaves.

There will be at that fortress two officers of the Royal Artillery Company, instead of the three who have been there hitherto, and also one sergeant and two corporals who will be furnished by the company of *Granada*, and it will send them alternately, and the same with the officers, in order to make the fatigue more bearable.

The officers, sergeants and corporals will attend to the instruction of the negro artillerymen and every Saturday afternoon at least two hours should be employed in exercises with the cannon and guns, and the same on some other day which the commander of the post may deem suitable, with regard to the usefulness of this important object to the service of the King.

This is the footing upon which the garrison of *Omoa* should be placed in time of peace and consequently it will do away with the company of volunteer artillerymen as being useless, burdensome to the Royal Treasury and prejudicial to the State; whilst,

under the circumstances, these negroes will in no wise differ as artillerymen from the best in the army.

THE CASTLE OF THE GULF.

The forty soldiers, of which the keeper of the fort is the commandant, will remain, and they will receive the salary of nine pesos per month and perform the coast-guard service. They are all established there and, as regards the case of these men, the general rules should not govern, for the conditions surrounding that post do not require it.

The veteran artillerymen who are stationed in that fort, not being of any service because many of them are dying and there is no artillery to take care of, they ought all to be withdrawn and their places given up as burdensome to the Royal Treasury; and, to attend to the duties in that regard at that post, three or four negro artillerymen from *Omoa* will be enough; these can be assigned for a specified time, changing them in such way as may be found desirable, say every two months.

PORT OF TRUJILLO.

A permanent veteran company will be formed, made up of a captain, who will be the commander of the post under Art. 9 of the instructions, one first-lieutenant, one second, two sub-lieutenants, a first-sergeant, four seconds, six first-corporals, six seconds, two drummers and 103 soldiers, making an aggregate of 120 places.

It will be the duty of the artillery company of *Granada* to provide the officers and artillerymen for this port, according to the circumstances and the time as to peace or war. In the same way there can be sent, if necessary, a hundred men from the permanent battalion, leaving fifty in *Olanchito*, or all of them, as may be most desirable.

FORT OF SAN CARLOS.

At this post another company of one hundred places will be formed, in the same manner and in the same way as at *Trujillo*.

and the artillery company at *Granada* will send to the fort the detachment of officers and soldiers that may be necessary, pending the rebuilding of the fort of *San Juan* as provided for by the Royal orders, whither this permanent company will be transferred.

PRIVILEGES AND POWERS OF THESE THREE COMPANIES, THE SALARIES THEY ARE TO RECEIVE, THE DISCIPLINE WHICH IT IS DESIRABLE SHOULD BE OBSERVED BY THEM FOR THEIR PRESERVATION, HAVING REGARD TO THE FATALITIES DUE TO THE CLIMATE, AND CARRYING OUT WHAT IS CONTEMPLATED BY ART. 15 OF THE INSTRUCTIONS.

The poverty and needs which are suffered in these posts make it necessary that the pay of the troops shall be equal in each rank to that of the permanent battalion, and that they shall enjoy the same privileges as that body.

The sergeants and corporals of the three companies should be white men, especially the first-sergeants, who will have the privilege of becoming officers as in the rest of the army; but when all of these positions cannot be filled by persons of that character, it will be sought to get them of light color.

The troops will have the privilege of living in houses which they may be able to construct for themselves. They will not be subject to the routine of the veteran troops, nor shall they have a mess.

The sergeants, corporals and soldiers will be present at a roll-call which shall be held at sunset in the presence of the subaltern for the week, and then they shall recite the rosary, and the assignments shall be made for the service of the day following.

A guard of four men shall be maintained in the barracks, with a corporal, so that all who may have need can apply there and to care for the arms if they are kept there.

They shall have during the month two reviews, for the inspection of clothing and arms, and only when in service shall they be obliged to wear the uniform, but they shall always bear some insignia showing that they are soldiers.

After they are instructed in the exercises care shall be taken that they do not forget them; such days shall be taken for in-

struction in this matter as the commandant shall deem most suitable, always bearing in mind that the climate does not allow the men to be greatly fatigued. On review days it would be well to employ sometime in the handling of arms, and the main care should be that they can load quickly and shoot with accuracy.

The uniform will be the same for all, either of natural or of white linen, as may be most convenient, and shall consist of a coat, waistcoat and trousers. The facings and collar shall be of a red color and the buttons gilt. The officers will wear a white uniform with the same characteristics.

Two pesos monthly will be reserved for the uniform and to buy whatever extras may be needed.

These three companies will enjoy the privilege of not having any discount for sickness, as is exacted to the permanent force of *Omoa*, and they will have the same rights as the veteran batallion.

These privileges which are granted to the permanent companies are for two purposes: the first to make the stay in those unwholesome climes more tolerable for their members, and the second is to enable them to devote themselves to agriculture and so can take care of their plantain groves and their cultivated fields in such lands as may be allotted to them under Art. 9 of the instructions; and in this way these men will be doubly useful to the State.

The most difficult part of this plan, so far as regards the three permanent companies, is to assign the men of which they are to consist, not only for the purpose of resisting the climate but also not to create a lack in the provinces. This, however, will be secured in the manner following:

The companies of *Omoa* and *Trujillo* will be made up of the most capable mulattos, negros and *Caribs* to be found in those ports, and for the Fort of *San Carlos* from the vagrants and unemployed in the province of *León* and *Nicaragua*, and also of those delinquents whose offenses are not serious and who are sentenced therefor by the justices, under the provisions of the Royal Order of April 20, 1791; and this latter shall extend to the other two companies if necessity requires.

It will be the duty of the Province of *León* to forward immediately to the Fort of *San Carlos* the persons to fill vacancies in that company, and the same thing will be done in *Comayagua* as regards *Trujillo*. This expedient will be of the greatest advan-

tage to make up the losses and to weed out offenders, deserters and vagabonds from those communities, of which there are a great many, and especially of the latter, as vice is so prevalent in the country.

The sergeants and corporals of the permanent regiment who are married to colonists shall be given preference in these companies, and the same with the soldiers; and also those already discharged who shall enlist as corporals and sergeants, as provided by Art. 9 of the instructions.

From the date when an offender or vagrant shall be sentenced by a justice to serve in one of these companies, there shall be allowed to him the benefits accruing to such persons, and for this purpose the person under sentence shall be given the corresponding certificate so that it may be presented for muster; it being understood that all convicts are to be passed along from one justice to another until they are delivered to the care of the commandant of the company, who will be the one in charge of the post. It should be noted that offenders under sentence will be forwarded from all the provinces in the Kingdom to serve in the permanent companies; and in order that distances may not cause serious expense the judges, as part of the punishment which the delinquents deserve, will take into consideration the fact that during the whole of the journey the convicts are only to be furnished the necessary food.

This is the plan that should be followed in time of peace in the Kingdom of *Guatemala*; and for that of war the permanent battalion will be assigned to the three ports of *Omoa*, *Trujillo* and the Fort of *San Carlos*, sending 200 men to each one, but all of them are not to stay in such assignment. That is to say: of the 200 men sent to *Omoa*, only 100 will go to garrison the fort and the other 100 remain in *San Pedro de Ursula*. Of the 200 who are to go to *Trujillo*, 100 are to remain in *Olanchito*. And, lastly, of the 200 for the Fort of *San Carlos*, 100 will be left at *Granada*. These 300 men will be a sort of reserve corps. The towns are healthful and near the respective ports and therefore they will be ready to hasten to them in case of need, and until that is done the course proposed will relieve troops of the sick, and the whole detachment may be changed whenever it becomes desirable.

The same course will be pursued with 200 men of the regular infantry militia and 100 dragoons who are to be assigned to each one of these three places; with the understanding that the cavalry will have a mounted detachment at each one of them, with the exception of *San Carlos*, though this will not prevent the 100 dragoons being held at *Granada* for the reserve.

In time of war, therefore, the garrison at *Trujillo* will be 600 men, as many more at *San Carlos* and 700 at *Omoa*, including the reserves; and with these forces I consider that all of these ports will be in a condition to make a very strong defense, they being the ones most exposed. And for their succor, as well as to attend to any other locality which might be invaded, the militia forces appear to me to be sufficient, which are to be classified under the new regulations, as soon as the officers and veteran sergeants who have been asked for shall arrive.

Thus explained this is the new plan, and the cost and the comparison with that which has been pursued under the old system is shown in detail in the tables that follow; and beside the great economies that are evident there will be many others which it will only be necessary to point out for them to be recognized.

STATEMENT SHOWING THE COST OF MAINTENANCE OF THE ESTABLISHMENTS ON THE COAST OF MOSQUITOS AND OTHER POINTS OF THE KINGDOM IN TIME OF PEACE, UNDER THE METHODS WHICH HAVE BEEN IN VOGUE AND ARE NOW PURSUED.

Salaries and pay of troops, explained in detail above	283,680.
Patrols by militia in the capital, costing annually	360.
Annual expenses at <i>Trujillo</i> , calculated upon those which were incurred in the year 1790, and appearing by the statements submitted to the superior government by the <i>Contaduría Mayor</i> (principal accounting bureau)	95,562.4
Expenses id. of the Islands of <i>Roatán</i>	10,823.
Expenses id. of the <i>River Tinto</i>	41,264.1
Expenses id. of <i>Cape Gracias</i>	19,972.

Expenses of the militia in the time taken by the detachments in going back and forth in the changes made every four months, taking 80 leagues as the average distance; there being squads that march 200 leagues and only fifteen days being allowed therefor without any rest whatever 21,006.

472,687.5

To maintain the plan of defense which has thus far been pursued, therefore, costs 472,687 pesos and 5 reales; and it ought to be noted that the rations and extraordinary expenses of *Omoa*, the Fort of *San Carlos*, the Castle of the *Gulf* and *Petén* are not included, reports of which have been asked for but can not be received in time to include them in this statement, which must go to Spain by the next mail-boat, in order that there may not be any delay in laying before His Majesty the great advantages which will flow from this new arrangement and the serious losses which will result from delaying its execution.

STATEMENT SHOWING THE TOTAL COST OF THE TROOPS OF THE KINGDOM OF GUATEMALA UNDER THE NEW PLAN.

Permanent Battalion.

Staff Headquarters:

1 commander at 140 pesos per month.....	1,680.
1 sergeant major at 100 pesos.....	1,200.
1 adjutant major at 51 pesos.....	612.
1 chaplain at 30 pesos.....	360.
1 surgeon at 40 pesos.....	480.
1 armorer at 14 pesos.....	168.
1 drum-major at 15 pesos.....	180.
1 first-fifer at 12 pesos.....	144.
1 second fifer at 10½ pesos.....	126.
	<hr style="width: 10%; margin-left: auto; margin-right: 0;"/>
	4,950

Grenadiers:

Captain at 70 pesos per month.....	840.
First-lieutenant at 50 pesos.....	600.
Second-lieutenant at 44 pesos.....	528.
Sub-lieutenant at 34 pesos.....	408.
First-sergeant at 18 pesos.....	216.
2 second-sergeants at 16 pesos.....	384.
4 first-corporals at 13 pesos.....	624.
4 second-corporals at 12 pesos.....	576.
1 drummer at 11 pesos.....	132.
	<hr/> 4,308.

One Company of Fusileers:

Captain at 62 pesos per month.....	744.
First-lieutenant at 45 pesos.....	540.
Second-lieutenant at 40 pesos.....	480.
Sub-lieutenant at 32 pesos.....	384.
First-sergeant at 16 pesos.....	192.
2 second-sergeants at 14 pesos.....	336.
4 first-corporals at 12 pesos.....	576.
4 second-corporals at 11 pesos.....	528.
Drummer at 10½ pesos.....	126.
	<hr/> 3,906.

The three remaining companies of Fusileers cost per annum	11,718.
100 Grenadiers at 11 pesos per month, cost per annum...	13,200.
400 Fusileers at 10½ pesos, cost per annum.....	50,400.
	<hr/> 88,482.

So that the permanent battalion will cost per annum 88,482 pesos.

Permanent Company of Omoa.

1 first-lieutenant at 45 pesos per month.....	540.
1 second-lieutenant at 40 pesos.....	480.
1 sub-lieutenant at 32 pesos.....	384.
1 first-sergeant at 16 pesos.....	192.
2 second-sergeants at 14 pesos.....	336.

3 first corporals at 12 pesos.....	432.
3 second corporals at 11 pesos.....	396.
1 drummer at 10½ pesos.....	126.
77 places at 10½ pesos.....	9,702.
	<hr/> 12,588.

*Company of Negro Slaves to Become Artillerymen and To Be
Compensated in the Following Manner.*

2 sergeants at 4 pesos per month.....	96.
4 corporals at 3 pesos.....	144.
Drummers at 3 pesos.....	72.
70 places at 2 pesos.....	1,680.
	<hr/> 1,992.
	<hr/> 14,380.

Cost of the Port of *Omoa*, 14,580 pesos.

The Gulf:

40 soldiers at 9 pesos per month.....	4,320.
1 first sergeant at 20 pesos.....	240.
2 first corporals at 17 pesos.....	408.
	<hr/> 4,968.

The Castle of the *Gulf* costs 4,968 pesos.

Trujillo.

Permanent Company:

1 captain at 62 pesos per month.....	744.
1 first-lieutenant at 45 pesos.....	540.
1 second at 40 pesos.....	480.
Sub-lieutenant at 32 pesos.....	384.
1 first sergeant at 16 pesos.....	192.
3 seconds at 14 pesos.....	504.
4 first corporals at 12 pesos.....	576.
4 seconds at 11 pesos.....	528.
Drummer at 10½ pesos.....	126.
103 soldiers at 10½ pesos.....	12,978.
	<hr/> 17,052.

Fort of San Carlos.

A company like that of *Trujillo*, costing per annum.... 17,052.

Petén.

Permanent Veteran Company Left on the Same Footing, as Follows:

1 captain, who is the commandant, at 62 pesos..	744.
1 first lieutenant at 40 pesos.....	480.
1 sub-lieutenant at 32 pesos.....	384.
48 places at 9 pesos.....	5,184.
Add for sergeants, corporals and drummers....	228.
	<hr/> 7,020.

So that this company will cost per annum 7,020 pesos.

SUMMARY.

Permanent battalion.....	88,482.
<i>Port of Omoa</i>	14,580.
<i>The Gulf</i>	4,968.
<i>Trujillo</i>	17,052.
<i>Fort of San Carlos</i>	17,052.
<i>Petén</i>	7,020.
	<hr/> 149,154.
Cost of the Militia.....	74,232.
	<hr/>
Total	223,386.

RESULTS.

Expense under the present system.....	472,687.5
Under the new one as proposed.....	223,386.
	<hr/>

Resulting economy to the Royal Treasury.....249,301.5

As shown by the foregoing demonstration there results a saving to the Royal Treasury of 249,301 pesos, 5 reales; of which

sum 20,000 pesos will be sufficient to support the quota of employees for religious purposes, for the Royal Treasury at the port of *Trujillo*, the garrison of *Petén* and for the castle of the *Gulf*; this being on the theory that no reduction whatever is made in the statements relating to the number of persons employed at these latter posts, for in those of *Omoa* and *Petén* no change should be made, and the first of these should rather serve as a guide for that of *Trujillo*. Therefore, without regard to other economies, which will be taken up later, His Majesty will save 249,301 pesos, 5 reales, and this kingdom will be in a better state for defense, as we will show in the second part of this project.

SECOND PART.

I have said that beside the considerable saving shown under this new plan, the kingdom would be in a better state for defense; and to prove this, it is only necessary to note the fact that the permanent battalion will be a well-organized veteran body and with the militia they will be useful proportionately with the excellent footing upon which they will be placed—so different from that which they are in now. This will be evident upon reflecting that the greater part of the regiments have now not a single veteran officer, the best provided for only having an adjutant, and he, perhaps, sickly and untrained; whilst under the regulation submitted these bodies will be as well disciplined as those of Europe.

I have shown that the cost of supporting them will be 74,232 pesos, to which sum may be added the amount of pay which is given to the permanent battalion; and yet, with all this, there results a great saving which I have analyzed, without making any other deduction from the 249,301 pesos 5 reales which will be saved annually, except the pay which is given to the militia at the time of the assemblies; and even to cover this I have considered several expedients. One of these is to instruct the Colonels to compensate by holidays the greater part of the time of the general assemblies, so that the latter are made use of as little as possible; at any rate the cost will be very small as compared with the total saving.

I have taken it for granted in this plan that the Island of *Roatán* is to be abandoned and that no thought is to be given to returning to occupy the establishments on the *River Tinto* and at Cape *Gracias*, or even to carry out the settlement of *Bluefields*; and I have reserved for this second part of my plan the expression of the reasons for my opinion in this regard. I am going to state them and I am going to encounter a good many foes who are opposed to my way of thinking as to certain things; but I am pleased that the voice of all the well-reflecting people of this kingdom is in my favor, for they are anxious to see a change from the ruinous system which has thus far been followed.

I think that those who have discussed the *Coast of Mosquitos*, claiming that the establishments on the *River Tinto* and at *Roatán* should be supported, and that the settlement of *Bluefields* should be carried on, have proceeded upon faith in a most egregious error. They saw a good place for establishing fortifications and some regular ports near forests of serviceable woods, with opportunities for the employment of many hands in the cultivation of the fertile lands and in the turtle fisheries, and they made their calculations upon the localities as they had them in their view. And certainly, going no further, these promoters have had some excellent ideas; but all their strength is weakened, or, it may be better said, destroyed, when one reflects upon the lack of population in the neighboring territories and in the whole kingdom. For example, let us take the much-vaunted port of *Bluefields* and this will serve as a specimen of the rest.

Looking over the bay, there seems to be a place fit for its fortification, although at such cost as to be measured by a million pesos; to this should be added the consideration that some thousands of people, who in any climate would become victims of the pestilential vapors arising from the clearings and excavations, will fall sick in the climate of this kingdom. I state as facts this enormous cost and the sacrifice of so many lives and pass to consider the results.

Between *Bluefields* and our possessions upon the continent there intervene the wild Indians, wherefore it is necessary that provisions and colony stores be transported by sea. From either of two localities whence such transportation may be had and

carried on, such supplies will become very costly and uncertain. The navigation from *Trujillo* depends upon the seasons and it is long and dangerous. It is necessary to go around some headlands, keep off from any shoals, and during six months of the year there are head winds. Neither in *Trujillo*, nor for many leagues about, are the needful provisions produced and they must be transported a long distance and over very bad roads to this last port. The colony, therefore, would always be exposed to the danger of perishing from lack of food. The *Tinto* river is much nearer *Trujillo* than *Bluefields*, and yet I found that settlement in such extreme need that if it had not had the resource of land transportation its inhabitants would have perished, notwithstanding which the veteran detachment had to leave for want of eatables.

The much-lauded *San Juan* river presents still greater difficulties than *Bluefields*, in sending assistance to it, because everything must go from *Granada* and the navigation of the lake is tedious before reaching the river, since the prevailing winds, which never vary, are dead ahead. Then comes the navigation of the river, which presents many obstacles, and still there are twenty-four leagues of sea, where a month has often been spent without reaching *Bluefields*, as happened to the engineer in chief, Don José Alexandre, and to the Intendant, Don Juan de Aysa, because the North winds are upon the bow during six months and it is very difficult on account of them to get around *Punta Gorda*.

Some claim that the colony may be established in such a way that it will support itself, it being understood by this that with agriculture and by the raising of cattle no assistance would be required. It would be easy to show the great difficulties in the way of the realization of such a project in any location, but it is idle for me to take the time here when the conditions at *Bluefields* make it clear that it is impracticable. Even supposing the lands were distributed, and the colonists should cultivate them with the greatest diligence and make their clearings as extensive as they could, still the fields in which their plantings are made and where their cattle are pastured will always be surrounded by forests that could not be opened up by all the inhabitants of the kingdom; and so the Indians or the English who disembark in

Pearl lagoon, or at some other place, will be able to take by surprise the residents of that country, seize their grain and their herds, and leave the fortification without any resources; for to have a warehouse and stores on deposit in this climate, where everything spoils so quickly, there must be a continuous renewal, to the difficulties of which I have referred.

The colony of the *Tinto* river presents at this time a very sad exemplification of these truths. Disregarding the enormous expenses incurred in the formation of this establishment and in bringing families of settlers from the Asturias, Galicia and the Canary Islands, the support of it has cost in the course of sixteen years 660,224 pesos, as shown by the report for the year 1790. If this expenditure is amazing, still more so is the number of lives sacrificed, which may be evident from the following facts.

The commandant of *Trujillo*, Don Tomás O'Neill, informed me that he had sent eighty men as a relief to *River Tinto* in order to move the detachment from *Sanaguera*, and that the return to their homes of the troops that went out had not been accomplished. I put the matter up to the commandant at the *River Tinto*, Don Antonio Echevería, and his reply left me as much astonished as I was filled with sadness. There had died in six months two-thirds of the troops detached, and for that reason the relief could not be executed.

This is the price at which we have been able to keep up the colony during the time when there have been no enemies to attack it; but when attacked by only Indians and three or four English they succeeded in surprising it with the sacrifice of nearly all its inhabitants. The same thing will happen when it is undertaken to resettle it and we shall have a similar experience at *Cape Gracias*, *Bluefields* and *Roatán*, if we maintain them.

There may be reasons of state for retaining the possession of these points. If such is the case, I respect them; but none the less I do not hesitate to assert that when they are established the kingdom cannot support them without diminishing very greatly its population and that now, with the very considerable and very evident diminution it has suffered, there is no other way to prevent the ruin of these countries except to carry out the plan I have outlined.

If the reasons of state referred to were those stated by the Marquis del Campo, which I have before me, I would be very venturesome if I were to doubt the extended information of that minister; but he spoke from reports which were given to him in London and consequently he might very well have been misled by incorrect data.

At the present time there are two Lieutenant Generals in Spain who can give advice from practical knowledge: their Excellencies Señores Don José Estachería and Don Bernardo Troncoso. The former located the establishments, having been president of this kingdom and he supported them for some time; and the latter was his successor; but both of them know the uselessness of these possessions and the grave injury that will result from maintaining them, and I have understood that they went to Spain provided with documents to show this in case of need. Perhaps it would be very advantageous to have them report upon the whole of this project.

I cannot be unmindful of what is stated as to the situation of the Island of *Roatán*. They say that if enemies occupy it, it will interfere with the commerce of *Trujillo*; and although this may be true, this very fact will prove the wisdom of my opinion. Without destroying more and more the population of the kingdom and without expending enormous sums, we can not hope for even a mediocre defense at that port, for as it stands today it could be captured by a hundred men. Let it be well fortified and let many thousands of pesos be spent upon its works, garrisoning it with such a number of troops that we may deem it impregnable—yet even conceding for the sake of the argument this impossibility, we shall not have made any progress.

In sight of *Trujillo* and four or five leagues from *Roatán*, is the Island of *Guanaja*, the port of which is capable of accommodating as many vessels as the enemy may wish to send; and as we must suppose them masters of the sea, not only will they prevent the commerce of *Trujillo*, but also communication with *Roatán*, which they now do whenever they wish. From *Mount Capiro*, upon the flank of which *Trujillo* is located, they have been seen to go in and out of *Guanaja* during the whole of this war, and will not be prevented from doing so unless it also shall be fortified.

No one will deny the favorable location of the Island of *San Andrés*, and yet it has been necessary to withdraw its Governor, it being impossible to protect him. In fact, I assert as an axiom, the truth of which is proven by experience, that *the Kingdom of Guatemala is so large, as compared with the number of its inhabitants, that it cannot defend itself without abandoning some of those deserted portions in order to prevent the enemy from finding any resources in them.*

I say the same with regard to the clandestine trade, which is another subterfuge of the defenders of these establishments. Far from being impeded by maintaining these defenders it has been increased. For the same reasons that make it impossible to garrison such extended coasts against enemies, make it likewise impracticable to prevent smugglers from landing thereon and making importations of their goods, and to those thus brought in are to be added those that have been made by the establishments themselves.

The results are so unhappy that generally speaking it is found that the employees in them, of all ranks, become corrupt, and as if terrified to see themselves in such a miserable condition devote themselves to gambling, drinking, the pleasures of Venus and to getting wealth.

I must be pardoned for this language, because I feel so deeply that the origin of so many of the evils from which this kingdom suffers can only come from having maintained these establishments. I have seen the villages deserted, the fields without cultivation and widows and orphans begging alms; and seeking information from the prelates, from the judges and the older people, as to the reason for this desolation, they all fix it from the year 1784, when the establishments were located upon the *Coast of Mosquitos*; and in order that it may be seen with what reason they assert this, I will copy verbatim what was stated upon this subject by the tribunal of accounts in the report of January 4, 1792:

"The militia detached for four months is not relieved until after five, six and even seven months after leaving their homes. Their plantings are abandoned there or they see that it is impossible to make them; their cattle are uncared for, the mines are without workmen, the families are given over to mendicancy

and broken up by the effects caused thereby. Getting restless in the garrisons, they desert, they are scattered and abandon their households for fear of punishment, leaving wives and children without any support upon which they can rely."

All this happens in time of peace, and in time of war the expenses increase enormously and the desertions grow more and more and the diseases and the deaths are more and more frequent. The annual expenditures in the establishments since the war was declared amount to as much as 600,000 pesos; and the port of *Trujillo* alone used up more than 300,000; and although these expenses are now indispensable, they are also almost of no value, because the troops that are under arms are not upon a proper footing for defence. This will not be the case in time of war, with the plan which I have submitted in detail, for besides being advantageous and having to be executed with disciplined troops, it will yield a saving of more than one-half in comparison with the present expenditure.

The remittances which are made from *Havana* to maintain the establishments amount during the year to some 200,000 pesos, which sum is paid by the treasuries of *Mexico*, greatly to the prejudice of the agriculture of this kingdom and causing incalculable losses in the effects which are produced; besides, those are the uncertainties of the voyages by sea and the risks of having vessels captured in time of war, making the support of these colonies and the troops always precarious and doubtful. For these reasons in a separate paper I will suggest a more clear and useful method from the employment of which a further saving will result.

Let these terrible expenditures and losses of inhabitants be calculated, then, and let us see whether by avoiding both this kingdom will not be left in a condition to drive away from its coasts any European nation which may seek to establish itself thereon. Such enemies would in a very short time experience disease and death, as do even our own people who belong to the country; and then they would be attacked by robust and well-disciplined troops; so that with a very small part of the funds that are used, and with very little effusion of blood made once for all, we would be left masters of the country, without exposing ourselves, as we are now exposed, to losing everything by endeavoring to save it all.

I will not weary myself by repeating that this project has gained and will gain for me a considerable number of enemies. The planters who live in the neighborhood of the establishments, the traders who make immense sums in them and many others who share in those profits, will clamor against my ideas, they will slander my acts and will not fail to persecute me as the author of a project which is intended to overturn the idol of their interest, which is the one upon which they generally lavish their praise in these dominions. But I await it all with that firmness which is the result of an inner conviction of conscientiousness and good faith, with which I have, I think, discharged the commission placed in my charge by the King, our Master.

Guatemala, January 3, 1801.

Most Excellent Sir.

ROQUE ABARCA.

Doc. 183 Royal Cédula to the Viceroy of Santa Fé concerning the Segregation of the Government and Comandancia General of Maynas and its Aggregation to the Viceroyalty of Peru.

MADRID, July 15, 1802.¹

THE KING.

To the Viceroy, Governor and Captain General of the Provinces of the *New Kingdom of Granada* and President of my Royal Audiencia of the city of *Santa Fé*:

In order that my Council of the Indies might determine the matters in the despatch concerning the temporal government of the Missions of *Maynas* in the Province of *Quito*, it asked for a report from Don Francisco Requena, who was the Governor and *Comandante general* thereof and the present Minister of the same tribunal, and he made his report on April 1, 1799, sending therewith another which he had made under date of the preceeding 29th of March regarding the Missions of the *River Ucayale*, in

¹ General Archives of the Indies. Shelf 115. Compartment 6. Bundle 23. Peralta—*Costa Rica y Costa de Mosquitos*, p. 329.

which he suggested, for the spiritual and temporal development thereof, that the Government and *Comandancia general* of *Maynas* should be dependent upon the Viceroyalty of *Lima*, segregating from that under your command all the territory which it embraced, as well as other lands and missions bordering with those of *Maynas* proper and existing on the Rivers *Napo*, *Putumayo* and *Yapurá*; that all these Missions be added to the College of the *Propaganda Fide* of *Ocopa*, which now has those which are on the Rivers *Ucayale*, *Guallaga* and other branches, with villages in the mountains near those rivers; that as those missionaries are those who are most zealous in their duties, a bishopric be erected embracing all those missions united with various other villages and parishes neighboring therewith which may belong to different diocese and can be visited by this new prelate, which would afford spiritual comfort for those mountainous districts that cannot be given by the missionaries of different orders and provinces they serve, by the different regular superiors of them nor by the same bishops who now extend their jurisdiction over those vast and extended territories, sparsely settled as they are with Christians and in which are still found many heathens who have unfortunately never entered the fold of the Holy Church.

Concerning these three points the said Minister Requena reported that the Missions of *Maynas* were found to be in the worst condition and that they could only be improved by being made dependent upon the Viceroyalty of *Lima*, from which they could be most quickly helped, better protected and developed in their trade, there being accessible during the entire year by the roads from that city, the landing places of *Jaén*, *Moyobamba*, *Lamas*, *Playa Grande* and other ports, all on different rivers which afford access to all those missions, the climate of all of them being very nearly the same as that found in the valleys of the Coast to the North of the Capital.

He explained also that it was very necessary that the missionaries of the whole of that Government and of the countries that ought to be embraced within the new bishopric must be a single institution and a single province, with the true vocation of spreading the Gospel; and as those of the College of *Ocopa* serve the Missions of the Rivers *Guallaga* and *Ucayale* it would

be desirable that they should also take charge of all the rest which it is proposed to incorporate under the same new diocese, so that all the villages which are assigned thereto should be served by the aforesaid missionaries of *Ocopa* and they should have various curates and asylums at the entrance to the mountains, on different roads, in which they could rest and make preparations for their religious journeys.

Lastly, the same Minister reported that in order to meet as far as possible the military extension of the *Comandancia general* of *Maynas* within the spiritual attention of the new bishopric, the latter should be extended, not only down the River *Marañón* as far as the frontiers of the Portuguese Colonies, but also by the other rivers which empty into it and traverse all of that low and extended country which has a uniform climate and which can be travelled over by the navigation of its waters, extending also their jurisdiction to other parishes lying within a short distance of those rivers, with a short and easy mountain road lying between, but which in the situation in which they are found have never been visited by respective diocesan prelates to whom they belong.

This having been taken up at a full session of my said Council of the Indies, and the circumstantial report of Don Francisco Requena having been examined with the care demanded by a matter of so much importance, inasmuch as in it there are very detailed statements worthy of the greatest reflection, and having also a report by the General Accounting Office and what was stated by my *Fiscales*, the Council's opinion was submitted to me on March 28 and December 7, 1801, and, having approved it, I have resolved that there should be segregated from that Viceroyalty and from the Province of *Quito* and added to the Viceroyalty of *Lima*, the Government and *Comandancia general* of *Maynas*, with the villages of the Government of *Quijos*, except that of *Papallacta*, all of the latter being on the banks of the River *Napo* or in its neighborhood, the new *Comandancia general* being extended, not only by the River *Marañón* downstream to the frontiers of the Portuguese Colonies, but also by all the other rivers that flow into the same *Marañón* on its northern and southern banks, such as the *Morona*, *Guallaga*, *Pastaza*, *Ucayale*, *Napo*,

Yavarí, *Putumayo*, *Yapurá* and others not so large, as far as the region where these cannot be navigated on account of their falls and impassible rapids; and there shall also be left in the same *Comandancia general* the villages of *Lamas* and *Moyobamba*, in order to join as far as possible the ecclesiastical and military jurisdictions of those territories; to which end I command you that the Government of *Maynas* and *Quijos* being added, as they are added, to the Viceroyalty of *Lima*, with the exception of the village of *Papallacta*, you shall arrange that it shall be carried out.

Also, I have resolved to place all of those villages and united missions under the charge of the Apostolic College of Santa Rosa of *Ocopa* of the Archbishopric of *Lima*, and that as soon as they shall be entrusted with the jurisdiction of all the villages which are embraced within the jurisdiction designated for the aforesaid *Comandancia general* and new Bishopric of Missions which I have determined to erect, my Viceroy of *Lima* shall provide that from the nearest collection offices there shall be paid without delay to each one of the missionary friars who are actually engaged in those villages the same amount which is allowed to employees in the old ones which were under the charge of the same College. That the latter having, as it has, the power of admitting into its fold the friars of the province of the same order of San Francisco who desire to devote themselves to the propagation of the Faith, it shall at once enroll all those who request it who have a true calling and are competent for the Apostolic Ministry, but those shall be preferred who are found in the present service who went to the Province of *Quito* with this definite object and whose zeal is vouched for in the salvation of the souls that have been entrusted to them, but they cannot be separated from their respective reductions in case they do not desire to join the College until the latter can provide them with suitable missionaries.

That to the end that missionaries may always be on hand when the reductions already founded, and which may hereafter be founded, in that extensive harvest-field, the Viceroy of *Lima* shall provide that if there are no available novitiate lodgings and accommodations, the aforesaid College of *Ocopa* shall at once provide the same and admit therein all the European or American Spaniards who, with a true calling, desire to enter as novitiates,

with the definite purpose of taking up evangelical preaching, provided the prelate assigns them thereto; by this means there will be developed the training school of workers of virtue and education which the missions need, without having to resort to getting them from the provinces of these Kingdoms.

Also, he has resolved to erect asylums for the missionaries dependent upon the College of *Ocopa* in *Chachapoyas* and *Tarma*, and that the Convent of Observantines which exist in *Guanuco* be added to the College mentioned for the service of the missions, the asylums of which are very necessary for the friars, as Don Francisco Requena reported, for those coming and going, recuperating their health and becoming accustomed to the food and hot climate of those low and mountainous countries which are watered by the Rivers *Marañón*, *Guallaga*, *Ucayale*, *Napo* and others which flow through those wide and interminable plains; and to this end I have determined there shall be given to said College of Santa Rosa of *Ocopa* the parishes of *Lamas* and *Moyobamba*, so that the missionaries may have more help and their arrival facilitated at the landing places near the Rivers *Guallaga* and *Marañón*, keeping and maintaining the same missionaries for their entries from the ports of *Playa Grande*, *Cuchero* and *Mayro*, which afford access to the headwaters of the River *Guallaga* and to the waters that go to the *Ucayale*, the reductions and villages situated on the roads that lead from the said city of *Guanuco* to the three ports mentioned, having in this way various routes according to the stations by which uninterrupted access may be had to the widely separated fields allotted to them in which to spread among the inhabitants the light of the Gospel.

Likewise, I have resolved to erect a bishopric in said missions, an auxilliary of the Archbishopric of *Lima*, for which purpose there will be obtained from the Holy See the corresponding apostolic brief, the new bishopric to be composed of all the conversions served by the missionaries of *Ocopa* from the Rivers *Guallaga*, *Ucayale* and by the mountain roads which are used to enter therein and are within the Archbishopric of *Lima*; of the parishes of *Lamas*, *Moyobamba* and *Santiago* in the mountains belonging to the bishopric of *Trujillo*; of all the missions of *Maynas*; of the parishes of the Province of *Quijos*, except that of *Papallacta*; of the instruction district of *Canelos* on the River *Bobonara*, all

belonging to that Viceroyalty and to the Bishopric of *Quito*; and of the missions situated on the upper part of the same River *Putumayo* and on the *Yapurá*, called *Sucumbios*, who are under the charge of the Franciscan Fathers of *Popayán*; provided that on this account the regular or secular ecclesiastics who serve all the said missions or parishes shall not be taken away until the new Bishop may provide what is desirable.

Although this prelate has as yet no chapter or Cathedral Church and may reside in the settlement that appears to him best and most desirable for the development of the missions and according to the urgencies that may arise, yet unless there is some cause to prevent, he can fix his ordinary residence in the village of *Xeveros*, on account of its good location in an open country and its church having the advantage of being the most decent of all and the best provided with rich shrines and sacred vessels, and with hangings, ciborium, chandeliers, *mayas*,² censers, silver crosses and canopy with silver poles; on account of the number of its well disposed inhabitants and the said village being the centre of the principal missions, being almost at an equal distance from the last missions of *Maynas* which are down the River *Marañón*, as well as the first that are on the upper waters of the Rivers *Guallaga* and *Ucayale* that are toward the South, having from the same village toward the North those of the Rivers *Pastaza* and *Napo*, leaving only those of the *Putumayo* and *Yapurá* farthest away to be visited; and for the better administration of his bishopric being able to locate the corresponding vicars, which are the principal ones of those different missions.

And finally I have resolved that the allowance for the new prelate shall be 4,000 pesos annually, placed in my Royal Treasury of the city of *Lima*, from the accounts of my Royal Treasury, and also another 1,000 pesos, for two secular or regular ecclesiastics, at 500 each, who are to accompany the Bishop as helpers and whose appointment and removal must be left for the present to the judgment of the same prelate, with the obligation of giving an account or notice to the superior government of *Lima* whenever there is an appointment or removal, and advising the same ecclesiastics of their permanency in the missions for the effective

² *Maya*, a girl who assisted in a religious ceremony dressed in a peculiar fashion.

collection of the dues, there being placed for the present in the Royal Collection Offices of that Viceroyalty the tenths which are collected throughout the whole of the district of the new bishopric.

And I inform you in order that, as I command and provide, my Royal determination may have due and prompt fulfillment. For the understanding thereof and to carry it into effect, it shall be communicated by *cédulas* and official documents of this date to the Viceroy of *Lima*, to the President of *Quito*, to the Commissary General of the Indies of the Order of San Francisco, to the Archbishop of *Lima*, and to the Bishops of *Trujillo* and *Quito*; and this *cédula* shall be registered in my *Contaduría General* (General Accounting Office) of my said Council, and by the Ministers of my Royal Treasury in the Treasury Offices of the city of *Lima*.

Given, etc.

Doc. 184

The Governor of San Andrés to the President of Guatemala.

SAN ANDRÉS, 22nd of October, 1802.¹

MOST ILLUSTRIOUS SIR:

I have repeatedly informed your higher authority of the very active commerce that is carried on by the English of *Jamaica* on the *Mosquito Coast*, by which they supply the Indians and *Zambos* with whatever they require for themselves and to sell in all the ports where we have guards, like *Matina*, *Chiriquí*, *Veraguas* and *Cloqué*, in exchange for turtle shell, live turtle, sarsaparilla, cacao and mahogany; and they continue with such freedom that they even go so far as to dispute the right of fishery on said coast almost to the exclusion of the other Nations, and they have imbued the *Zambos* with this idea so that they will never pay any attention to us, and that is one of the reasons why I am not able to send my correspondence oftener to *San Juan*, for the residents here find little inducement to go to that coast since the English monopolize the little trade that offers from the small industry of the Indians and *Zambos*; and to such a degree is this so that fif-

¹ Archives of the Indies. Shelf 101. Compartment 6. Bundle 19. Peralta—*Lim. de C. R. y Col.*, p. 186.

teen days ago a brigantine left loaded with mahogany and other products, from *Wanasound* and *Bluefields* for *Jamaica*, the Master of which was the same cobbler who led the *Zambos* to attack and destroy *Río Tinto*, and who was taken in *Sandy Bay*, the residence of Chief Esteban, for having beaten and treated with the greatest cruelty on board his ship a negro of the coast. And they tell me that Esteban has informed the Governor of *Jamaica* of this act, telling him that if he does not reply in four months and decide about his ransom he will set him to sawing mahogany. What an opportunity to get hold of this bad man, drive him out from among the *Zambos* (of whom he would be as great a friend as before for a barrel of spirits) and send him for the rest of his life to *Petén* or *Acapulco*!

I am told that the said vessel was short of provisions and that it was expected to come here to ask for help. It has not come, nor do I expect it; but if it should happen that an English vessel should come here to ask for assistance, and it is found that it comes from the *Coast of Mosquitos* (trading with the natives of which is prohibited), with products on board, and this should be proven, may I, without being responsible, detain it, institute proceedings and send it to one of our ports where there may be a Judge competent to condemn it?

There has also been recently in *Bluefields* another English schooner, loading timber, and gathering other products, after having run over the *Coast* selling various articles of merchandise of all kinds; and there are many others in *Bocas del Toro* and in the *Chiriquí Lagoon*; of these facts I have advised the commanders of the coast-guards of *Cartagena*, offering them good pilots familiar with the whole *Coast* and the keys so that they could come back to port with a half dozen prizes.

The sloop *San José*, under the command of the Naval Lieutenant D. José Rivera, left *Cartagena* last month bound for the *Coast* and destined to touch at this island and it went back to the above port; and I hope that as soon as it may have been careened it will again leave, for so I have been advised from that port.

I have repeatedly asked your superior authority to forward the proper papers to His Excellency the Viceroy of *San Felipe*, begging him to direct that the said Coast-guards should attend their

cruise as far as Cape *Gracias á Dios*, previously stopping at this island to get the news and to get pilots, as we have very good ones and they will gladly go on this service, even if they are stimulated only by the advantage that will follow to them by the driving out of the English, leaving to them the trade with the Indians from whom there are always to be gotten swine, fowls, *manatí* (sea-cows) and salt turtle for the sustenance of the many negroes.

If Your Worship will be pleased to write to the said Chief and get from him his consent to the frequent visits by the vessels of the King in these waters—for they only go now as far as the ESCUDO DE VERAGUAS, WHICH IS THE LIMIT OF THE DEMARCA-TION BETWEEN THE TWO KINGDOMS, it would avoid great injury to the State, for the intercourse of the English with those Indians is very prejudicial and these colonists would take advantage of this branch of trade which is afforded by the *Coast of Mosquitos*.

The intercourse and communication of the English with the Indians and *Zambos* is so dangerous, that if the former had not had their attention diverted in this last war, fearing at any moment the arrival of the French in *Jamaica*, God knows what they would have done or attempted in this Kingdom with the help of the *Zambos*, for they had already got them well disposed and had placed seven hundred guns in their possession, with six barrels of ball cartridges, which information I gave to the authority of *Trujillo*, when I was given charge of this island. And if a cobbler was sufficient for the execution of such an undertaking, what might have been done by a sufficient number of men with military knowledge?

All this I advise Your Worship, for your better information and in compliance with my duty.

May Our Lord guard Your Worship many years.

Island of *San Andrés*, October 22, 1802.

TOMÁS O'NEILLE.

To the Most Illustrious President D. Antonio González.

Guatemala, January 3, 1803.

This is a true copy. F. Alexandro Ramírez.

Statement by the Governor of the Island of San Andrés, Doc. 185
and a Representation by its Inhabitants Asking That it
Should be Added to the Viceroyalty of Santa Fé.

ISLAND OF SAN ANDRÉS, December 5, 1802.¹

MOST EXCELLENT SIR:

I have the honor to forward herewith to Your Excellency the two statements annexed, one by the inhabitants of this colony and the other by myself.

The fact of its not being sent in the care of the Señor Captain General of *Guatemala*, under whom I serve, is on account of the distance which I am from that chief and the infrequent communications between this island and that continent; and the reason for not using stamped paper is because there is none in this colony. I trust that the good heart of Your Excellency will hearken unto the points that are set forth, and I beg for the sake of charity, that I may be granted a year of absence to go to Spain, for it is nearly seventeen years that I have been in America, where I have occupied some of the most deadly positions, and I am now very ill, and it may be that the sea air and that of Europe may enable me to recover so that I can still be useful in the service of H. M.

Island of *San Andrés*, December 5, 1802.

May God guard Your Excellency many years.

TOMÁS O'NEILLE.

To the Most Excellent Señor Don Pedro de Ceballos,
Ministry of War.

Statement of Don Tomás O'Neill.

Doc. 186

SEÑOR:

Don Tomás O'Neill, Captain of Infantry and Governor for Your Majesty of the Islands of *San Andrés*, upon the *Coast of Mosquitos*, prostrate at the Royal feet of Your Majesty, makes the following statement:

¹ Archives of the Ministry of War of Spain. Peralta, *ubi supra*, p. 165.

Having arrived at this island in April, 1797, I began to devote myself with due attention to the encouragement of these colonists in the cultivation of their lands and getting good roads, in all of which they gave their own efforts and the labor of their slaves; and I undertook also to instruct them in the handling of arms, so that they might defend the standard of Your Majesty until greater assistance could be obtained. I wrote to your Captain General of *Guatemala*, advising him of my arrival, enclosing to him a detailed statement of the land, its climate and products, with a list of its inhabitants, and asked him for a detachment of 25 or 30 men, with a subaltern officer, a small supply of munitions and a priest to minister to the spiritual welfare of the few Catholics, and lead to the faith by his example and exhortations those who were not. At the end of seven months I received an answer to the effect that, the War Board having seen my petitions, it had been resolved that I should go to *Granada de Nicaragua* by the *River San Juan*, to receive the proper orders and instructions relating to the defense of this position.

I set out from this island on the 9th of November of the same year, in a very small sloop, with seven men, four swivel guns and only six pounds of powder to make signals upon the coast to the *Mosquitos* Indians, that being necessary so that I might go up to the Fort of *San Carlos de Nicaragua* by the river referred to. Upon passing by the Island of *Mangle*, which belongs within my jurisdiction, I saw a schooner which was anchoring in the Port, flying the English flag, which had eleven men, two four-inch swivel guns, which they began to load with great haste. As I had my swivel-gun already loaded, I could do no less than open fire and set upon them, and by which action they were frightened and, taking to their boat, they abandoned the vessel, which I seized and took with only three men and myself to the said Port of *San Juan*, where I went up to the fort with the guns referred to, sixteen muskets and one barrel containing eighty pounds of powder, which I delivered into the Royal storehouses of Your Majesty, as appears by the papers which I kept.

In a few days an English corsair arrived upon the coast and, meeting those who had abandoned the said vessel that I had captured, they were told what had happened, and not knowing the course which I had taken they proceeded to this island and kept

it blockaded for three weeks until they made a landing, robbing and burning one house, and they took two ships from the port already loaded with cotton for transportation to *Cartagena*.

Upon my arrival at *Granada* I received the order of your Captain General to proceed to take command of the Fort of *San Carlos* on account of the illness of the one in charge, and advising me that it had been determined in the Board that, not being able to assist the island, I should remain upon the continent until peace was declared. This news brought consternation to the residents there, seeing themselves abandoned, and they began to make a thousand representations, but without any effect.

After five months I left the said post very sick and after a period of as long again of illness and convalescence I was appointed as Second Commandant of the colony of *Trujillo* in *Honduras*, and for the journey of 200 leagues by very bad roads I bought the horses and everything that was necessary. I started on my way and arrived at *León*. A few days later, on account of an English vessel having robbed an indigo district at the Port of *Sonsonate*, on the South Sea, I was sent in an armed brigantine, with two guns and sixty men, to patrol the southern coasts as far as *Sonsonate*, all of which I did in accordance with the orders which were given to me. And having returned to *León* I was ordered to proceed to *Granada* and take command of the gunboats upon the Lake, for which reason I had to sell the horses for less money and lose the greater part of the expenses incurred for the journey to *Trujillo*. After being in command of those gunboats for five months, I was appointed to take general command of *Trujillo* and the Coast of *Honduras*, for which purpose I had to incur new expenses.

I arrived at *Trujillo* and filled the position to the satisfaction of the superior authorities of the Kingdom for the space of eighteen months, when, on account of my illness and the clamors of the residents here, it was urged that I should be relieved, inasmuch as by reason of an insurrection that had broken out among the negros of this colony my presence was required. As notwithstanding my absence I had kept up a correspondence with these residents and they expected my return, I had not failed to give them, without regard to the distance from them such instructions as seemed to me desirable and they observed them in such a

way that when I returned to the island in April, 1801, I hardly recognised the country on account of the improvement that had taken place.

I began to make new representations to your Captain General of *Guatemala*, asking him for a detachment and some munitions. I devoted myself meantime to preparing a battery to accommodate six guns, taken from an American brigantine which had stranded and I succeeded in mounting them after a great deal of labor in getting them up from the port, without any other means or implements for this purpose except the hands of the inhabitants and the slaves, and without any expense to Your Majesty; and there has not been any expense to Your Majesty up to the present time, except my salary of twelve hundred pesos annually, upon which the Governor of this island cannot support himself, because everything, even the salt, has to be brought from *Cartagena*.

I am not now, Señor, making any claim for an increase of pay, for I have spent five years and a half in this way and I will pass the time that is left, for I trust in the kindness of Your Majesty that I shall be given another position; but I consider in honor and conscience that the official who may relieve me ought to have at least two thousand pesos, in order to be able to support himself and keep up the various expenses which are indispensable in such a position.

Also I asked for a priest and the corresponding altar furniture to establish Catholicism here, and so that I and my family at least should not be without so necessary a help; and after the long time which is required to get a response I was told to report concerning the emoluments upon which the Padre Chaplain could depend on the part of the residents here. To this I responded that this being an establishment of the *Coast of Mosquitos*, like *River Tinto*, *Roatán* and other dependencies of the Kingdom, the Padre Chaplain ought to have the same thirty pesos salary, and that to this I would add my table and house; but that the residents here, not being Catholics, it did not seem to me proper that he should be pensioned upon them, and that thus they would come more willingly into the fold of the Church by such a good example on the part of the ecclesiastic.

The fact is that these inhabitants here did offer to become Catholics and I think that they would have promised much more

rather than to have been dispossessed of their lands. I am very sure of their willingness to become such, if there were an exemplary priest who would prudently attract them by the same means which Our Lord Jesus Christ and his Apostles practiced. But can it be expected that any one could suddenly change his religion without knowing what principles were offered to him? No. Señor, I would charge my conscience and it would be to view with little respect the mysteries of the faith which I profess. Seeing the necessity I was in, I sought in Cartagena a French ecclesiastic, asking him to come until these points were decided, offering to support him out of my own means and for this I obtained the permission of the Reverend Bishop of *Nicaragua*. But unfortunately for me I did not succeed, because the said Padre refused to come on account of reasons which prevented him; and in the midst of these efforts I had the sorrow of seeing my poor wife die without the comfort of the sacraments, and in the same way nine Catholics have died out of the few of this denomination and faith. Will any one try to make me believe that among the expenses that are to be saved must be included the compensation for a priest in an establishment of more than a thousand souls? Is it possible there could be so unrighteous a belief among Catholics and among the vassals of a Monarch so religious and so zealous of the honor of God and the propagation of his Holy Religion? Will anyone persuade me that this is a superfluous expense for the Royal treasury, when I have seen the number of missionaries who came out at the expense of Your Royal Majesty to spread the gospel in various parts of this New World? If it had been a matter for your Captain General I would not have experienced such a lack; but as these matters are discussed in the Board there are various opinions, different expedients are suggested and the time passes insensibly.

Under the pressure of this situation I have gone begging in the spiritual field. I sought an ecclesiastic in *Cartagena* and in *Panama*, and have even written to our Consul at *Baltimore* in the *United States of America*, for the purpose of getting an Irish priest, as they are much liked here on account of the language. I do not know whether I shall succeed; but at any rate I beg that the Royal piety of Your Majesty will be pleased to direct that out of the various Irish priests who are in the *hospice* at

Madrid, at the expense of your Royal Exchequer, one shall come to this colony by way of *Cartagena of the Indies*, in a packet, as customary for all apostolic missionaries, and with the allowance which every chaplain has in the establishments of *River Tinto*, *Trujillo* and *Roatán*, which is thirty pesos, and in case the one comes that I asked for from North America, he will be supported by the community and will be a helper for the other.

All the children of this island who have been born since the year 1789 have been baptised by the Chaplain of the Coastguards of *Cartagena*. Some of them are almost of adult age and it is sad that they do not cultivate the religion which they have professed; and this is regretted by their parents, although they are not of the same religion, and my request is still more urgent on account of my being the god-father of twenty-six god-children upon whom I cannot look with indifference, and so I do not neglect to instruct them, doing the same with those who are not.

The situation in which I find myself is a very disagreeable one; I have spent the best of my years in the most deadly climates of the dominions of Your Majesty, and as a result find myself broken down in health and it would be a very sad ending to die deserted in this way, without the aid of the sacraments. I am middle aged and I would improve greatly with a change of air and especially in that of Europe or of my native country, which is the Canary Islands, where I still have an aunt who was a father and mother to me when I was at a very tender age, having been left an orphan by both, and I have always looked upon her as a mother. I wish to see her before God takes me away, and therefore I beg Your Majesty to give me a year's leave of absence in order to go to Spain, so that I may come back by way of *Teneriffe* to arrange some matters that are of interest to me.

I should not neglect to inform Your Majesty that I am alone, without even the small detachment of troops needed not only out of respect for the standard of Your Majesty but to support my efforts and counterbalance the number of negroes as regards the whites and free persons, which is very disproportionate. For that a squad of thirty men with a subaltern officer would be sufficient, a sergeant and two corporals, and these guards if permanent, like those of the castle of *Chagres*, and men of good conduct, could be married to some of the girls that are coming

along ready for such a condition, and there would be new Spanish families and with some comfort because some have very good fortunes and twenty-five or thirty negros. I have repeatedly asked for instructions about these establishments, but nothing has been said to me, except that the Royal Treasury did not have any surplus and that no expenses could be incurred and Your Majesty pays my salary.

This island is a long distance from *Guatemala*, although near to its desert shores; it takes six or seven months to get correspondence. I suffer remarkable delays in affairs, and in one case which came up I had to charter at my own expense a vessel to go to the Port of *San Juan* and waited at least three months to get a reply, and this may occasion great injury to the service of Your Majesty and the welfare of your vassals.

Formerly the island and the *Coast of Mosquitos* were under the orders of the Viceroy of *Santa Fé*² and *Cartagena* is very near for all temporal and spiritual needs. There is a very respectable Governor, there are vessels of the Royal Navy, a Bishop and learned clergy, many educated people, a splendid commerce and everything that could contribute to the progress and development of a colony, which on account of its situation ought to have some consideration; by reason of this I can do no less than lay it before Your Majesty so that if it be the Royal pleasure it shall be directed that this island referred to be added to the Kingdom of *Santa Fé* in all of its branches, for in that way Your Majesty will be better served and this colony will develop as it ought, without any greater expense to your Royal Exchequer, thereby securing the happiness of its inhabitants which I so greatly desire.

Nor can I do less than lay before Your Majesty the fact that the *Mosquito* Indians, having sacked and burned the establishment at the *River Tinto*, while I held the commission as Commandant of the Port of *Trujillo*, in September of the year 1800,

² It is not correct to say that "formerly" the *Coast of Mosquitos* was under the orders of the Viceroy of *Santa Fé*. The obligation which was imposed upon the latter of guarding the said coast did not confer the command of it nor the jurisdiction over it. Rather, indeed, by Royal Title of August 23, 1745, the military command was given, to watch over and prevent illicit commerce, from Cape *Gracias á Dios* to the *River Chagres*, to Don Alonso Fernández de Heredia, Governor of *Nicaragua*.

and it was known that they had carried away the holy vessels and furniture of the church, whereupon, being moved by zeal for my religion, I suggested to the inhabitants of this island that they should ransom them from the Indians, by whom they had always been respected. And they did get back from them the chalice, the cibory and *ampolletas* (small bottles) of the holy oils, with various ornaments, although broken and with the trimmings torn away; and they were compelled to give them in compensation 375 pesos, though I would have given an arm if it had been demanded. And upon making a report to the Captain General and forwarding the said articles and asking for the reimbursement of the money which I had paid out, he replied to me that notwithstanding my good intentions in ransoming these adornments, it had been done without any order from my superiors; but still they would take up the matter in the Board. I have repeated my petition, and I was told, after waiting six months, that the despatch concerning the matter would be considered.

Your Majesty will note that this amount is almost one-third of my salary, and that it would be a loss in any position and especially so in this one, where everything is lacking; this consideration I submit to the pious heart of Your Majesty, with the expectation of the most favorable results.

After being in a position so destitute of any society, I lost my health in journeys over the exceedingly rough roads of the deadly Kingdom of *Guatemala*, and I find myself in great distress, forgotten on account of the remote location by my superiors and with nothing to favor me in my career.

In the year 1798 your Captain General of *Guatemala* asked me for reports for your Royal Majesty, petitioning for the rank of Lieutenant Colonel, which I sent; but, nothing having come of it during the expected time and supposing that it may have gone astray amid the hazards of the war, it was asked of me a second time and forwarded to the Court in February of 1800, as I am told, but up to now there has been no result whatever; and it would be a comfort to me to know that Your Majesty did not consider me as still a creditor for favor, but nothing has been made known to me, nor apparently will ever be.

The distance which separates me from the Captaincy-General of *Guatemala* leads me not to address this statement to Your

Majesty through that Chief, on account of the certainty I have that it would take two years to know the result. I therefore send it by way of *Cartagena* in order that it may sooner reach the hands of Your Royal Majesty, my first object being the development of this establishment and the propagation of Religion; and I humbly beg Your Majesty to be pleased to direct that this colony be supplied with a priest who speaks the English language and that this island may be declared to belong to the Bishopric of *Cartagena of the Indies* and likewise dependent in all its branches, as it is now or by commission from the Viceroyalty of *Santa Fé*. Also that it may be assisted with the detachment referred to or a squad of troops made up of a subaltern officer, a sergeant, two corporals and thirty honest men of good morals, and that your Viceroy of said Kingdom take all the measures tending to put this valuable colony upon a proper footing, so that it may in a little time recompense Your Majesty for the small expense incurred; and as regards the other points relating particularly to my own interests, to my career and my situation, I rest upon the pious heart of Your Majesty and my destiny, quite content with whatever may be Your Majesty's Royal pleasure.

I also beg the consideration of Your Royal Majesty for the use in this case of the ordinary paper, on account of there being none stamped in this Colonial Island of *San Andrés*, the 4th of December, 1802.

Señor: At the Royal feet of Your Majesty.

TOMÁS O'NEILLE.

STATEMENT BY THE INHABITANTS OF SAN ANDRÉS.

Doc. 187

SAN ANDRÉS, November 25, 1802.

SEÑOR:

The inhabitants of the Island of *San Andrés*, humbly prostrate at the Royal feet of Your Majesty, beg to state that following upon the favor of which they were deserving from your Royal mercy, it having been seen fit to confirm our establishment therein under your Royal care and protection, the appointment of Cap-

tain Don Tomás O'Neill was made in the year 1795, for its government, but the latter did not actually reach the said island until April, 1797, on account of having been engaged in the French portion of *Santo Domingo* upon matters of the Royal service. As soon as he arrived we devoted ourselves earnestly to the cultivation of our lands, and we began to ship our cotton, which is the finest that is known in America, to the Port of *Cartagena*, and we continued working not only in our plantings but in repairing roads and preparing to develop the settlement under the direction of, and in carrying out the views of, our Governor; but by reason of the information which he gave upon his arrival to the Captain General of *Guatemala*, including therein a poll of the inhabitants, and the slaves, and asking for a detachment of twenty-five or thirty men, a chaplain and other things that he deemed needful for the establishment of the colony, after six months he received an answer, with an order to proceed to the Province of *Nicaragua* by the River *San Juan*, to receive orders and instructions concerning the defense of this island.

In compliance with such orders from his superiors he set out from here in November of the same year, assuring us that he would come back within two months, but unfortunately these two months became three years; for he was appointed as Commandant of the Fort of *San Carlos* for four or five months; for another period he was in charge of the naval force on that Lake and thereafter he went to become the Commandant of the station at *Trujillo* in *Honduras*, which he resigned after eighteen months in response to our clamors and because of the insurrection of our slaves which occurred in October of 1799, and if it had not been for the miraculous arrival of the Naval Lieutenant, Don Nicolás de Toro, with Your Majesty's sloop "San José" God knows how far the affair would have gone in the critical situation in which we were at that time.

During the absence of our Governor we passed through all the calamities that can be mentioned. We were daily blockaded by the corsairs from *Jamaica*, one of which made a landing with more than fifty men, with the purpose of stealing negroes and sacking our homes, but not succeeding in their design because we repulsed them, they carried off two small vessels from the

port. They seized from us at various times six vessels loaded with cotton, which we were shipping to *Cartagena*, and for a considerable time we suffered from a great need of food, because we were discouraged about planting on account of the fear of being attacked by these enemies, and, having no person authorized to make any arrangement in favor of our goods, they would have made a general pillage of whatever we had.

After all these difficulties and when we expected that peace would bring us happiness and our commerce would again grow strong, confiding in the pious heart of Your Majesty and in the efforts and good disposition of our Governor on our behalf, we learned that the latter counts his term of five years, including the three during which he was absent, and that he aspires to a better position. In this he has sufficient reason, for his health has been bad while occupying this position; nor is the salary of 2,000 pesos which he receives annually sufficient, without other emoluments, for his support, because he has never been willing to receive the fees which rightly belong to him for writings and other documents which, in default of a notary, he has had to certify.

In this doubtful situation as to whether he will go or not, until the time mentioned expires, we are in great consternation. We do not doubt that in the army of Your Majesty there are many officers who are very well suited to fill this post and others of greater importance, but in this Governor we have the three qualities of a chief, father and friend, all of them equally. He speaks our language like one of us; he is well acquainted with everyone from the knowledge he has acquired since the year 1789, when he came to this island, commissioned by your Viceroy of *Santa Fé*. He has the colony under the best of police administration; he treats the people with the greatest gentleness and kindness; he is devoted to agriculture; he tries to arrange means for our improvement, to make this possession of Your Majesty useful and to establish us and our children in a happy condition, he being the God-father, by baptism, of two-thirds of our children.

Such is the affection which in all justice we feel for him. Still it is not our purpose to insist upon our own interest, to the prejudice of his promotion and welfare, by asking that he may

be delayed or the time extended; we beg humbly that Your Majesty, in case he shall be promoted, will fill his place by an officer who knows the English language, since no other is spoken in the colony, by reason of the non-fulfillment of the Royal dispositions of Your Majesty and there not being up to the present time any other Spaniards than the Governor and one other resident. May Your Majesty be pleased to send some Spanish families, a primary teacher and a chaplain. Nothing of this kind has been done. If we had at least twenty-five soldiers, as our Governor asked for in the beginning, and these had been good men, some of them would have married daughters of the island and there would have been so many more families of our own nation. This was the idea of the Governor and it would have been of the greatest benefit.

All this delay and disturbance of our welfare has arisen because this island has been attached to the Kingdom of *Guatemala*, which is so far away from us, and it takes six or seven months to get an answer from our Captain General, causing great injury to our affairs.

The Port of *San Juan de Nicaragua* is the nearest one in that Kingdom; but the river is deserted and has a guard of only four men and a corporal at the Port at its mouth, and it takes ten days to go up by the said river to the Fort of *San Carlos*, where there is nothing but fever and misery. This would not be necessary if this island were dependent, as it was before, upon the Viceroyalty of *Santa Fé*, because *Cartagena* is a commercial town, it is on the shore of the ocean and it is a voyage of four days going and returning, as the general winds in this part of the world are as favorable for going as for coming back, by reason of the situation of the island. We have always done our trading there, and, through the merchants there, we have undertaken our connections with the ports of the Peninsular, so as to ship our products directly thither.

This is not the case with *Guatemala*, because beside the impossibility of making our connections with that Kingdom on account of its distance, there is to be added the notorious opposition of the merchants there to any commerce which does not go by the way of *Omoa*, they being unwilling that there should

be any traffic by the River *San Juan*, and consequently are not friendly to this island; they regret its development on account of its location being favorable to trade through the river *San Juan de Nicaragua*. And so we have reason to believe that they are the cause of there being no endeavor to develop our colony, and we have even heard some say that this island can be of no use to the Crown and that Your Majesty has better inhabited possessions.

Let it be remembered that this establishment, the land of which is all cultivated, has not cost your Royal Exchequer more than the salary of its Governor and will be able to produce during the coming year, if there is an average crop, more than 4,000 quintals (100 pounds to the quintal) of the best cotton that is known, and the quality of which will be tested in the mills of the Mother Country very soon, for there is being shipped now to *Cartagena* about 120 quintals to be forwarded to Cádiz and Barcelona, and in the Spring we will send a cargo from this island to Europe. It should not be expected that it will continue to be a burden to the state, but that it will be capable, by the receipt of the duties which in time will be imposed, to support the employees and garrison which is so indispensable for the respect due the national standard and the security of the lives and property of the vessels of Your Majesty; on this account we also beg that Your Royal clemency may *determine that this island shall be under the jurisdiction of the Viceroyalty of Sante Fé*, in all its branches and absolutely independent of the Presidency of *Guatemala*.

Through your Viceroy we have previously addressed petitions and representations to your Royal clemency, and through the same we have received the favors of the pious and paternal heart of Your Majesty; and therefore we pray Your Majesty that it may be by the way of *Cartagena* that we shall be advised of the Royal pleasure of Your Majesty, since by way of *Guatemala* it would not reach us in less than eighteen or twenty months, because it would go by the way of *Vera Cruz* to *Mexico* and then proceed by land to *Guatemala*; from there it would go to the provinces and then down to the mouth of the *San Juan*, awaiting by chance the arrival of some fishing vessel from this island which

takes correspondence and thus receive it in every five or six months.

Among the favors which the kind heart of Your Majesty was pleased to grant to us was the freedom from import and export duties, upon the same terms as in the other minor ports, but as we do not know the time when it began and when it should terminate, we submit to Your Majesty that our Governor arrived in this island in the year 1799 (during the time of the war), that he left in six months and did not come back for three years, during which time we experienced only loss and troubles, that we need development and that up to the present time we have not really begun our trade, and that our Governor has not received any instructions from the Captain General, although he has repeatedly asked for them as we know; in virtue of which we hope to merit a declaration on the part of Your Majesty in this particular.

We beg Your Majesty may pardon us if we do not send this memorial through our own chief, for the reasons referred to at the beginning, as also because we do not put it upon stamped paper, for the reason that there is none in this colony.

We remain, Señor, with a firm reliance upon the paternal affection of Your Majesty towards his vassals, and in the belief that he will concede to us the points which we humbly submit, praying the All-Powerful to preserve the life of Your Majesty for many years.

Island of *San Andrés*, November 25, 1802.

Señor: At the feet of Your Royal Majesty; in the name of all the inhabitants—

ROBERTO CLARK, *Síndico procurador*.

ISAAC BROOKS.

SOLOMON TAYLOR.

JUAN TAYLOR, *Alcalde*.

JORGE OLLIS.

The President of Guatemala to the Secretary of State and Treasury Concerning the Commerce With the Coast of Mosquitos and the Protection That Should be given the Coasts of Guatemala From Cape Gracias á Dios as far as the Escudo de Veragua. Doc. 188

GUATEMALA, January 3, 1803.¹

MOST EXCELLENT SIR:

I enclose to Your Excellency copy No. 1 of a document that has been sent to me by the Governor of the Island of *San Andrés*, Captain D. Tomás O'Neill, dated October 22 ultimo, in which he reports in detail concerning the active commerce maintained by the English of *Jamaica* with the Indians and *Zambos* of the *Coast of Mosquitos*, referring to various occurrences as proofs.

This being the first news that has come to me, since the peace, of such acts, I address on this same date the proper papers to the Viceroy of *Santa Fé* and the General Commandant of Marine of the Department of *Havana*—to the former in order that he may provide, as suggested by the said Governor, that the Coast-Guards of *Cartagena* extend their cruising as far as Cape *Gracias á Dios*, touching at the said island; and to the second in order that in virtue of the Royal Order of February 26, 1788, of which I also enclose a copy, No. 2, and of the rest of the case, he may take measures to send two schooners or brigantines to cruise along over the said coast from *said cape as far as the ESCUDO DE VERAGUA*.

Foreseeing this need, and also to keep the English of the settlement of *Belize* within their boundaries, and to meet the other requirements of the service on said coast, I have been trying to arrange that there should be always at least one small war vessel between *Omoa* and *Trujillo*. And following out my idea that this Kingdom should be maintained upon its own revenues, without begging from other treasuries for any of its ordinary expenses, I have had considered in the Superior Board of Finances, the

¹ Archives of the Indies of Seville. Shelf 101. Compartment 6. Bundle 19. Peralta, *ubi supra*, p. 183.

purchase of a schooner carrying ten guns of suitable calibre, and have given a commission to a good Master Constructor, located in *Trujillo*, in order that he may proceed to *Havana* to arrange it and bring it to that port.

But a single vessel will not be sufficient to patrol so extended a coast, on account of the need of being at one time at various distant points, for the activity of the English is constantly greater and they have in constant service a multitude of vessels of all kinds, both in the fisheries, beyond the line that was laid down by the Treaty of 1783, as well as in smuggling in the innumerable inlets and harbors of that coast. I was advised by the last provincial mail that there was a sloop in the *River León* trading merchandise for products with the Indians of the mountain of *Jicaques*, and that the contraband merchandise coming from that source had gone as far as the district of *Yoro*, near *Comayagua*, to whose Governor Intendant, by the same post, I made on this account the provisions for the case.

I present this whole matter to Your Excellency in order that if you deem it desirable you may submit it to His Majesty, to the end that the corresponding Royal Orders be sent to the said Viceroy of *Santa Fé* and the Commandant of Marine at *Havana*, charging them not to neglect the maintenance of the necessary cruiser in the regions mentioned, and without prejudice to helping as I direct in unforeseen and urgent cases, as provided in the said Royal Order of 1788, No. 2 copy.

As regards the particular matter inquired about by the Governor of *San Andrés*, as to whether he can stop and take summary proceedings with the English barques that are carrying on trade with the inhabitants of the *Mosquito Coast*, I think there is no difficulty in this, in view of what was provided in the said Treaty of 1783, which has not been repealed by that of 1802. Nevertheless, it would be well, to avoid doubts and claims, that His Majesty be pleased to make a suitable declaration in the matter, for the occurrences of this character are frequent enough, and it will be sometime before a competent guard is established and the afore said Coast-guards are put in service.

May God guard Your Excellency many years.

Guatemala, January 3, 1803.

Most Excellent Sir.

ANTONIO GONZÁLEZ.

To His Excellency the Secretary of State and of the Universal Department of the Treasury.

Report of the Committee of Fortifications of the Indies in Madrid to the King of Spain, Upon the Representation of the Governor of St. Andrew, Don Tomás O'Neill, That for His Laudable Zeal in Promoting in the Island the Culture of Cotton, He is Not only entitled to the Rank of Lieutenant-Colonel Which He Solicits, but to an Increase of pay to 2,000 dollars a year. Doc. 189

MADRID, September 2, 1803.¹

SIRE,

The Committee of Fortifications and Defence of the Indies has carefully examined the representation made by the Governor of the Islands of *St. Andrew* and its residents on the 5th of December last, and sent to this Committee by Royal Order of the 26th of August. The tone of these representations bears every mark of truth, candour, and sincerity; wherefore the Committee considers that the Governor, Tomás O'Neill, who, with laudable zeal, has found means of improving the island without any drain on the public treasury, so that its products this year have afforded 4,000 quintals of cotton, is entitled not only to the rank of Lieutenant-Colonel, which he solicits, but also to an increase of pay to 2,000 dollars a year, in reward of his praiseworthy disinterestedness, as the colonists declare, and because of the necessity of providing himself from *Carthagera* with even the salt and other articles for his use. But it is expedient to apprise him that for the present his continuance in office is essential; and

¹ British and Foreign State Papers—1849-1850. Volume xxxviii. London, 1862.—Archives of the Indies. Audiencia of Guatemala. Duplicates of the Governors Presidents. Years 1803 to 1804.

that on another occasion the year's leave he requests will be granted, in order that by his stay now he may consolidate and arrange the municipal laws of the island, as may be most suitable to its circumstances, and aid the endeavours of those loyal vassals to cultivate not only cotton, but also the grains and fruit necessary for their sustenance, contributing at the same time to the conversion to Catholicism of those neighbours who are so well inclined to embrace it; and that the curates should be immediately appointed, with an assistant curate, as O'Neill urgently requests, but that one of the two should be an Irishman, or conversant with the English language (to be able to communicate with those people), with a salary of 30 dollars a month, as is usual in similar appointments, subject to the Bishop of *Carthagena*, of whom the necessary ecclesiastical aid may be easily obtained, especially for the construction of a church and its appropriate ornaments. Further, it is just that the Royal Finance Committee at *Guatemala* should repay instantly to O'Neill 357 dollars, which he, while Acting-Commandant of *Truxillo*, in the year 1800, paid with pious and efficacious zeal for the purposes of redeeming the sacred vases and ornaments which the *Mosquito* Indians had carried off in a surprise upon the *River Tinto* and which O'Neill remitted to *Guatemala*; it being very strange that the junta should have been so remiss as to omit reimbursing a sum devoted to such a worthy purpose.

It is equally interesting and of great importance that a master of primary instruction should be sent from *Carthagena* or elsewhere in order that Spanish language may be more easily and quickly learned among those natives, and that the children baptized or to be baptized there should have better opportunities of instruction in the dogmas of our sacred religion. Because it is evident how much the diversity of languages may contribute (especially in a small undefended island) to create a difference of equality among the vassals of your Majesty in the love, loyalty, and respect which they ought to observe, and which, with this measure and others already mentioned, it is very probable will more and more take root in their docile, obedient, and faithful hearts, of which several proofs have already been afforded. This may be inferred from their having maintained themselves

three whole years unassisted during the last war with England, when the Commandant-General in *Guatemala* had kept Governor O'Neill on a commission out of the island. The latter, from being better informed than any other person of the losses and drawbacks which his long absence and the war have occasioned to those colonists, can report respecting the application which they make, and the time which in reason and justice they should continue exempt from import and export duties (provided that this exemption does not apply to foreigners), in order that, with this information, your Majesty may decide on what is best, and extend the period of their exemption from duties to what may appear just. And to avoid the long delay which they would incur in receiving the reply if it went to *Guatemala*, it would be well to direct it by way of *Carthagena*, from whence it may be more easily and speedily received, owing to the shorter distance at which the island is placed from that port, and whither for this reason the colonists send their produce.

Although it may seem that the committee, in dwelling so long upon the points above mentioned, departs from and loses sight of its principal end—the consideration of what concerns the defence—it does not so regard it; but rather that in a nascent colony the good arrangement of all its branches contributes much to its defence, by the indispensable connection that must exist amongst them all; and because, without fostering agriculture and the arts, it is impossible that the population should increase, while the colony, having laws and regulations approved by the Viceroy of *Santà Fé*, unites its individual inhabitants in pleasant and agreeable community and affording sufficient means for subsistence, will at a future time supply hands to defend it, and revenues wherewith to maintain them, and to augment the royal treasury.

The defence, then, and the advancement of the Island of *St. Andrew*, is of no little importance; for being situated in $12\frac{1}{2}^{\circ}$ of north latitude, distant little more than 100 leagues from *Carthagena*, and some 40 from the coasts of the Kingdom of *Guatemala* and from the mouth of the *River San Juan de Nicaragua*, it offers an excellent port of call and *point d'appui* to protect and attend to the useful establishments on the desert *Mosquito Coast*, and to encourage in due time those which the committee has pro-

posed anew to place in Cape *Gracias á Dios* and Bay of *Bluefields* in the memorial which it presented to your Majesty, dated 5th August last; but that this should have better and speedier effect, it is necessary that those establishments, as far as that of Cape *Gracias á Dios*, inclusive, be made dependent on the Viceroyalty of *Santa Fé*, from which Viceroy there also should depend in all their branches (as they were formerly) the Islands of *St. Andrew*, as much by reason of its greater proximity as by the prompt maritime assistance which it might receive. For this the Viceroy will give the necessary order to the commander of the station of *Carthagena*, whose Governor ought likewise to receive instructions and powers from the Viceroy to succour them as circumstances may require, and that the Governor of *St. Andrew* may ask such assistance and treat directly with him.

It is highly proper that the Governor of *St. Andrew* should receive, agreeably to his solicitation, the detachment of 30 men of known honor, with a sergeant and 2 or 3 corporals, and the corresponding ammunition; also a good subaltern, acquainted if possible with the English language, who should imitate the good maxims of O'Neill, whose second he ought to be and in order to command the islands in his absence. And, moreover, it is of the utmost advantage that this detachment of picked men should be permanently established in the island, in which a soldier marrying a respectable woman should receive his full discharge, in order to increase the number of colonists, his place being supplied by another from *Carthagena*. Thus would the love for the military service be gradually promoted amongst the natives against the period when a fitting militia might be formed on the spot; for the principal island containing some 10 leagues square, the number of inhabitants might amount in a few years to upwards of 40,000, although there would be the obstacle that many of them would be negroes and mulattoes, from the increased number of slaves which are now established there, for whose due subjection the before-mentioned detachment would also be useful. And if a soldier should marry a woman who has no property, he may continue his service for the period of his engagement; the regulation respecting the woman's being poor or rich should be subject to the pleasure of the Governor of the island.

Even if the reasons above expressed and the commercial relations of the inhabitants of *St. Andrew* with *Carthagena* were insufficient reason for making those islands dependent on the Viceroyalty of *Santa Fé*, their local position renders it impossible they should depend on *Guatemala*, from whence they could not in any case or circumstances receive succour, owing to their great distance, the greater part by roads difficult of transit. This was so evident, that the Junta of *Guatemala*, being unable to send assistance to the Island of *St. Andrew*, resolved, in the year 1797, that its Governor, O'Neill, should remain on the main land until the peace, leaving the island entirely abandoned. It thus happens that the uncertain and insecure communication between *St. Andrew* and *Guatemala* occupies 6 or 7 months, whilst every week they might communicate with *Carthagena*.

The same reasons apply with little difference to what respects the proposed establishments on the *Mosquito Coast*, and it is not likely they would progress if not united to and dependent on the Viceroyalty of *Santa Fé*. It is undoubted, Sire, that the multiplication of these voluntary establishments is the most efficacious and powerful means for domesticating or exterminating the savage Indians, who, once separated from the coast, would be annihilated by each other, or at least could never join themselves to the English. Nor would this form any obstacle to the dependence on *Guatemala* of the guard composed of a corporal and 4 other men at the mouth of the *River San Juan*, that being an advanced post of the Castle of *San Carlos*, situated on the same river near the entrance to the Lake of *Nicaragua*.

Such is the opinion of the Committee on the above-mentioned representations, looking solely to the better service of your Majesty, who will resolve according to your sovereign pleasure.

DN. FRANCISCO GIL.

DN. FERNANDO DAVIS.

DN. JOSÉ VASALLO.

DN. FRANCISCO REQUENA.

DN. JOSE BETEGÓN.

DN. PEDRO CORTÉS.

DN. GERÓNIMO DE LA ROCHA Y FIGUEROA.

Doc. 190 Report of the Committee on Fortifications and Defence of the Indies, Respecting the Separation from the Kingdom of Guatemala of the Mosquito Coast and its Incorporation With the New Kingdom of Granada.

MADRID, October 21, 1803.¹

SIRE:

The Committee on Fortifications and Defence of the Indies, at its meeting on 2nd September last, manifested how useful and advantageous it would be that the Islands of *St. Andrew*, for their advancement and preservation, should depend on the Viceroyship of *Santa Fé*, because their great distance from *Guatemala*, the unpeopled state of the northern seaboard of that province, and the extreme badness of its roads, did not permit them at any time to receive assistance or help from thence, as experience has shown, not even in time of peace, except with the greatest difficulty and a very expensive and prejudicial delay; whereas, on the contrary, their proximity to *Carthagena*, a distance of some hundred leagues, with the frequent sea breezes and land winds, offers them, with facility and dispatch, and at little cost, whatever aid they may require for their prosperity and rapid advancement. And as the desert *Mosquito Coast* in front of these islands, from the Castle of *Chagres* to Cape *Gracias á Dios*, and which is distant from them 40 leagues, has nearly the same difficulties in maintaining communication and receiving succour from *Guatemala*; and as the peopling of it might afford great facilities for domesticating and reducing the Mosquito Indians, and by this means put an end, gradually and eventually, to the commerce which these have always maintained with the English: Therefore, with a view to the better service of Your Majesty, the Committee on the 5th of August last, and more particularly at the aforesaid meeting of the 2nd of September, instanced the benefit of peopling the said *Mosquito Coast*, and of making it dependent, for the reasons indicated, on the Viceroyalty of *Santa Fé*, so that its establishments might be supported from *Carthagena* without cost to the Royal Treasury, since the colonists ac-

¹ *Ubi supra.*

climated in these countries would voluntarily remove thither, induced by the free commerce which should be permitted to those that might establish themselves on the coast, as far as Cape *Gracias á Dios*, inclusive. But the Committee having spoken incidentally of these establishments, did not explain or unfold sufficiently its views; and this has given rise to some well-founded doubts respecting their practicability, as is manifested in the Royal Order of 25th September last, wherein Your Majesty is pleased to order that, with a view to "determining on the separation of the settlements on the *Mosquito coast* from the Captaincy-General of *Guatemala*, and their incorporation with and dependence on the Viceroyalty of *Santa Fé*, the Committee shall explain how such separation is to be understood and effected, keeping in mind that the Kingdom of *Guatemala* may be invaded by the *River San Juan*, which discharges itself on that coast; and that the English effected this in the war declared in 1778 and ending in 1783, assisted by the Mosco and Sambo Indians; and in the last war they likewise took the port of *Truxillo*, although they were quickly driven out of it again. It thus appears that the defence of the said kingdom is inseparable from the obligations respecting that coast.

"That, in garrisoning these settlements, there are employed in time of peace 19 officers and 150 men of the permanent regiment of *Guatemala*, and 16 officers and 50 men of the militia, who are relieved every 4 months; and that others should be formed which it would be necessary to garrison.

"That in order to remedy the mortality among the militiamen in a sickly climate which this service has caused in that kingdom, and the diminution of the permanent regiment, with other heavy inconveniences which have occurred since the year 1786, your Majesty named a sub-inspector to regulate the militia, arrange the mode of forming permanent companies for the settlements, with which, the detachments from the regular regiment being rendered unnecessary, that corps may be reduced to a single battalion in which the number in the ranks, which has always been very small for want of men, may be in proportion to that of the officers, and be kept always assembled, in order to attend with the militia to the defence and tranquility of the whole kingdom; and that, in the same manner he shall see if it will be possible

to alleviate the severe service performed by the militiamen, which, with the general enlistment of all the inhabitants of the provinces near the coast, has caused its depopulation.

“That the sub-inspector has in part fulfilled his commission by the arrangement of the militia and the plan for the reduction of the regiment, proposing what he judged most adapted for defence, and which has been approved by your Majesty, according to the report of the General-in-Chief; and the said sub-inspector continues pursuing the other objects of his commission.

“That whether the detachments of the regular troops and the militia are maintained to garrison the said settlements, or whether permanent companies be raised for this service, (which latter could only be attained in the course of time if raised from the natives of the country), it is necessary to see, if the said settlements depend on the Kingdom of *Santa Fé*, how that military Government can fulfill these objects, and provide, in the extraordinary event of a hostile invasion or insurrection of the Indians, for the tranquility and defence of the *Mosquito Coast*.

“That the new Kingdom of *Granada* having very few veteran troops for its own defence, it appears impossible that it could send to the *Mosquito Coast* those necessary to garrison its settlements in a time of peace, and much less the forces necessary in time of war; and as far as respects the 500 militia, it would not be just to employ on this service those of the *New Kingdom of Granada*, nor could the Royal Treasury support the expense of the transport and continual relief of these troops, which are maintained on rations in said settlements; and in time of a war with England or another maritime Power, when the coast-guard vessels could not run nor visit freely the *Mosquito shore*, they would remain unrelieved and without other resources for subsistence than such as might be afforded them from the interior of the kingdom, the Government of which would have no knowledge of their necessities.

“The Treaty with the Indians, the presents made to them for the encouragement of settlers and the freedom of commerce, which is an additional expedient the Committee has proposed, should be conceded to them, and the increase of the officers of

the Royal Treasury that would be required, having to depend on the Viceroyship of *Santa Fé*, and to render to it their accounts, also presents apparently no slight obstacle.

"It would also be indispensable, were the separation carried into effect, that the Captain-General of *Guatemala* should remit to the Viceroy of *Santa Fé* a copy of all the regulations and Royal resolutions that have been communicated to him relative to the settlements on the said coast, since the English evacuated it under the Treaty of 1786.

"The Committee being charged with the consideration of all these difficulties, it is your Majesty's will that it should explain whether it considers them of importance, transmitting their opinion to the General-in-Chief with a view to the necessary determination."

The Committee, with particular anxiety and solely aspiring to the honourable satisfaction of being useful in so far as may be possible to the service of your Majesty, it has considered with the most careful attention the Royal Order above copied; and, with a view to its punctual fulfillment it has again recalled to mind everything set forth in the two meetings above mentioned, and to which the Royal Order refers.

In the first place it suggested that it would be very opportune to endeavour to stimulate with privileges and exemptions the people already acclimatized in those sickly climates of *Guatemala* and *Santa Fé*, that they should voluntarily remove to Cape *Gracias á Dios* and *Bluefields*, without limiting them to any fixed spot, or exacting duties on the exportation of their goods, or even restricting to points already ordained; so that in this manner, without cost to the exchequer, that desert coast might be peopled, permitting free commerce therein to all the vassals of your Majesty who should wish to undertake it and to trade with the Indians, buying from them the tortoise-shell and gold-dust which they collect.

And although, from the first, it believed that for the advancement of the proposed settlements on that part of the coast between the mouth of the *River Chagres* and Cape *Gracias á Dios*, it would be advantageous and opportune to make them dependent on the Viceroyalty of *Santa Fé*, in order that they might receive aid and maintain communication through *Carthagena*, never-

theless, it did not propose this at that time, because in order to overcome with discretion and certainty the first difficulties, which are usually incident in such cases, it required a person of unceasing vigilance and adapted to such occupation, and who moreover should have an immediate point of support even at a lesser distance than *Carthagena*, from whence he could incite, animate, and direct the first colonists; and as in the representation presented by the Governor and inhabitants of the Island of *St. Andrew*, the Committee perceived in the increase and situation of the latter, and the tried prudence of the former, the most fitting disposition for the carrying into effect the peopling of the said volunteer settlements; therefore in the second of the meetings referred to, it explained that "the Island of *St. Andrew* being situated at $12\frac{1}{2}^{\circ}$ north latitude, distant little more than 100 leagues from *Carthagena*, and some 40 from the coasts of *Guatemala* and the mouth of the *River San Juan*, offers an excellent harbour and *point d'appui* to support and guard the useful settlements on the desert *Mosquito Coast*; and to encourage in the course of time those which the Committee had suggested at Cape *Gracias á Dios* and Bay of *Bluefields*, in the minute which was laid before your Majesty, of date the 5th of August last: But that this may have better and speedier effect, it is desirable that those settlements, as far as Cape *Gracias á Dios* inclusive, should depend on the Viceroyalty of *Santa Fé*." And subsequently it added (after showing the strong reasons it had for conceiving that the Islands of *St. Andrew* should depend on *New Granada*, and not on *Guatemala*) "that these same reasons apply, with a slight difference, to what concerns the suggested settlements on the *Mosquito Coast*; and it is not probable that they would progress if not dependent on the Viceroyalty of *Santa Fé*, it being undoubted, Sire, that the multiplication of these volunteer settlements is the most efficacious and powerful means of subduing, domesticating or exterminating the savage Indians, who, once separated from the coast, would be annihilated by each other, or at least could never join themselves to the English; and the dependence on *Guatemala* of the guard of a corporal and 4 men at the mouth of the *River San Juan* would be no obstacle, because it is an outpost of the Castle of *San Carlos*, situated on this river before the entrance to the Lake of *Nicaragua*."

In all these indications the Committee have never meant to include *Black River*, nor any other settlement approaching nearer to the Gulf of *Honduras*, for these may, although with difficulty and delay, communicate with the interior of *Guatemala*; and thus there is no necessity at present for making any change in their garrisons, their strength or the times or seasons of relieving them, as may be arranged by the Sub-inspector Abarca. But from Cape *Gracias á Dios*, inclusive, along that coast as far as the *River Chagres*, it is infinitely more difficult and troublesome to communicate with *Guatemala*, owing to its distance being greater, the passage of its rivers more difficult and less known, and its paths more rugged and impenetrable, because less frequented, and above all, by being in the power of the *Mosquito* Indians, without whose consent it is impossible to keep up communications with the coast by land; for all of which causes the inhabitants of the coast could neither expect nor receive any succour from *Guatemala*, even when that Government should become aware of their necessities. And as at the present day this part of the coast is uninhabited and deserted, it results that in uniting it to the Viceroyalty of *Santa Fé*, no separation is in reality to be made of it from the Government of *Guatemala*, except as to the few inhabitants that perhaps may be resident at Cape *Gracias á Dios*, leaving the arms and munitions in such manner that it will be said that incalculable trouble would be avoided which the veteran or militia forces destined for the purpose would encounter in going to garrison these points, were any detachments sent for that purpose.

From what has been said, it will be inferred that no prejudice will result from the proposed separation (in the terms in which it is suggested by the Committee) from the Kingdom of *Guatemala*, nor is it even necessary that the Captain-General should take the slight trouble of sending to the Viceroy of *New Granada* the copy of the acts and royal resolutions relative to the settlements on the coast of the *Black River* and *Roatán* since the time when the English evacuated those places under the Convention of 1786, because, as above explained, the Committee did not mean to include those establishments in the proposed separation; but it will not be amiss that a copy of the said Convention should be transmitted to the Viceroy of *Santa Fé*, in order that it may be

fully known to the coast-guard vessels that will have annually to leave *Carthagena* to cruize along the whole coast, as well the deserted part of *Mosquito* territory as its continuation from *Cape Gracias á Dios* towards the *Gulf of Honduras*, to watch that the English fulfill the said Convention, to prevent contraband, and to assist the ancient settlements, as well as those that may be placed there hereafter, against the wild and savage Indians.

Neither can these settlements occasion injury to the New Kingdom of *Granada*, because for their effectual establishment and more easy management the Committee think that the actual command should be given to the Governor of the Island of *St. Andrew*, the Viceroy giving him a commission to grant lands to the inhabitants who may voluntarily leave the island or elsewhere to establish themselves on the coast; and so soon as they amount to 20 inhabitants, the Bishop of *Carthagena* may provide them with a clergyman, who, erecting a provisional chapel, may attend to their spiritual welfare, and aim with discretion and zeal, and great gentleness, at gaining the hearts of the errant savages, without which previous disposition their conversion to our true religion ought not to be attempted consonantly with human and Christian prudence.

And in order that these first settlers may not encounter opposition on the part of the Indians in the settlements as they are formed, it is proper that no garrison of troops should be sent that might alarm or offend them, or betray to them the fact that the settlements are making under the sanction of the Government which none better knows how to conceal from them than the Governor of *St. Andrew*, Don Thomás O'Neill, owing to the respect and friendship with which these Indians already regard him. But as there may be some tribe amongst them disposed to molest the new settlers, it will be expedient to furnish them with muskets and ammunition, in such quantities as O'Neill may prudently decide, doing the same by the inhabitants (if there be any) who voluntarily remain at *Cape Gracias á Dios*. It is true that, armed in this manner, they could not resist any European force that might attack them, but this would equally be the case even though they had a small detachment of troops for their defence, it being evident that the existence of these settlements does not at present require, nor can it for a considerable time to come, that

particular efforts should be made to support them, as they cannot for the present be regarded as posts of defence, but merely of possession. And thus, the commission being given to O'Neill, it is not necessary to employ any officer of the Royal treasury, not only because of the free commerce which these colonists will enjoy for the present, but because their settlement is an enterprise to be undertaken without incurring expense (and almost without any charge on the exchequer), in order that, even if unsuccessful, it may not occasion prejudice to the State, to which it will undoubtedly produce advantage if successful to its full extent.

Although it is certain that these settlements cannot, without surmounting great difficulties, receive succour by land from the Viceroyalty of *Santa Fé*, it is equally certain that they cannot require them for many years, since, as is above explained, they can only be regarded as posts of possession, the inhabitants of which, for their own convenience, will endeavour to maintain peace with the Indian infidels and defend themselves from their hostile attacks (should such be attempted), as is constantly happening in various parts of North America, even in localities with fewer resources than these settlers will have.

As the mouth of the *River San Juan* is comprehended in the indicated coast from *Chagres* to *Cape Gracias á Dios*, the colonists that may desire to establish themselves there should also depend on the Governor of *St. Andrew*; but that officer need not, on this account, have any authority over the guard or advanced post which the Castle of *San Carlos* maintains there, the Governor of which only ought to command it, who, notwithstanding this fortress is of such consequence, was unable to obtain timely succour from *Guatemala* when the English took it in the war of 1779; and from the situation and circumstances of that fort, it, too, is deficient in means to protect and foster these settlers, much less those who may hereafter arrive to establish themselves on other parts of the coast.

These are the ideas which present themselves to the Committee, in considering of the points contained in the Royal Order above mentioned, and from this opinion the General-in-Chief may form his own, he, as the principal head of the Committee, having to consider all the reports previously to laying them before your

Majesty, who upon all that is above explained will determine according to your sovereign pleasure what may appear to you most convenient.

DN. FRANCISCO GIL.

DN. FERNANDO DAVIS.

DN. JOSÉ VASSALLOS.

DN. FRANCISCO REQUENA.

DN. JOSÉ BETEGÓN.

DN. PEDRO CORTÉS.

DN. GERÓNIMO DE LA ROCHA Y FIGUEROA.

the Governor of the said islands, Don Tomás O'Neill, a salary of 2,000 *pesos fuertes*, instead of the 1,500 which at present enjoys. By Royal order I inform Your Excellency of the foregoing in order that the Ministry in your charge should take the necessary steps for the fulfillment of this sovereign mandate."

All of which I state to Your Excellency by His Majesty's order, for its due execution.

May God keep Your Excellency many years.

SOLER.

To the
Viceroy of Santa Fe.

Doc. 193 The Mosquito Coast an Exclusive Dependency Upon the Presidency and Captaincy-General of Guatamala. Antecedents of the Royal Order of November 13, 1806.

THE CAPTAIN-GENERAL OF GUATEMALA TO THE SECRETARY OF
STATE AND WAR.

March 3, 1804.¹

No. 416.

MOST EXCELLENT SIR:

The establishments of *Mosquitos* have always depended immediately upon this Captaincy-General in the different relations of its command. No one has ever raised a doubt as to a matter so clear, in view of the Royal Orders issued and of the system observed in those colonies from their foundation.

But now the Intendant of *Comayagua*, Colonel Don Ramón Anguiano, under the pretext that these establishments were within the territory of his province, claims to exercise therein the powers belonging to his special ordinance, which is the Ordinance of Intendants of *New Spain*, of December 4, 1786.

¹ Archives of the Indies. Shelf 100, Compartment 4, Bundle 20. Peralta—*Costa Rica y Costa de Mosquitos*, p. 392.

Royal Military Order Respecting the Segregation of the Mosquito Coast, Addressed by the Acting Minister of War to the Captain-General of Guatemala. Doc. 191

SAN LORENZO, November 20, 1803.

The Board of Fortifications and Defence of the Indies in its reports of September 2 and October 21st last, stated its opinion concerning the development, settlement, and defence of the Islands of *San Andrés*, their segregation, and of the part of the *Mosquito Coast* which extends from Cape *Gracias á Dios*, inclusive, toward the *Chagres* River, belonging to your Captaincy-General, and their incorporation with the *New Kingdom of Granada*. And the King having approved the opinion of the Board, I transmit to Your Worship by order of His Majesty (as also to the Viceroy of the said Kingdom) copy of the said reports for your information and their execution in the part that concern you.

May God guard Your Worship, etc.

SOLER.

To the Captain-General of Guatemala.

Royal Military Order Respecting the Segregation of the Mosquito Coast, Addressed by the Acting Minister of War to the Viceroy of Santa Fé. Doc. 192

SAN LORENZO, November 30, 1803.

MOST EXCELLENT SIR:

Señor Don José Antonio Caballero, in a letter of the 20th instant writes to me as follows:

"The King has resolved that the Island of *San Andrés* and the part of the *Mosquito Coast* from Cape *Gracias á Dios*, inclusive, toward the River *Chagres*, shall be segregated from the Captaincy-General of *Guatemala*, and be dependent on the Viceroyalty of *Santa Fe*. And His Majesty has been pleased to grant to

Under that ordinance he has to be a special judge and the sole head in the four departments of justice, police, finance and war, being entirely independent of any other judge or tribunal, and there being no other recourse in his cases, except that of appeal to the Board of the Royal Treasury or to the Audiencia of the district.

As to these four departments, they have been under the charge of the Presidents in the new colonies. The King entrusted to them the establishment and arrangement of them. They are responsible for whatever happens therein and report directly in all these matters to the Ministry of Your Excellency, in whose custody they were placed by virtue of the Royal Order of May 20, 1790.

Consequently, this system is incompatible with the powers of said Ordinance of Intendants. Those of *Comayagua* so recognized it prior to Anguiano. They understood there that the matters stated were committed and delegated to them by the Presidents, calling themselves their substitutes, as such executing the orders they received and acting by themselves in some matters of minor consequence; but always with the idea that the settlements of the coast and whatever occurred thereon formed one single object entrusted to the Captaincy-General in all its parts.

It has been necessary for me to make a statement of the facts, with the documents in hand, in order to settle disputes and to ask for the corresponding declaration by H. M. In the appendix hereto I have collated the most essential facts in chronological order, from the year 1786 to the present time. All this work has been occasioned by Colonel Anguiano, growing out of his desire to command upon the said coast and over its inhabitants of all classes, with the same authority that he has over the Indians of his province.

The creation of *alcaldes ordinarios*, of which I give an account to Your Excellency, on this same date, under No. 417, is one of the points upon which the contention arose, as shown by the evidence herewith. The Intendant has resorted to the Audiencia by way of appeal. He has support in that tribunal and it would not be strange if it should seek to sustain him, although even Art. II of the Ordinance of Intendants upon which he bases his

claims, supposing that it may be applicable to said colony, was expressly abrogated by the Royal Order of November 22, 1787, issued by the Ministry of Mercy and Justice.

But this is not the only matter in which the question has been raised. The Intendant interferes in whatever happens in *Trujillo*. Insisting upon his own powers, he has undertaken in some cases to reverse my action; he has resorted, as he does now, either to the Audiencia or to the Superior Board. These two tribunals are governed by the aforesaid Ordinance of Intendants, taking it literally without any regard to the circumstances. And the result of all this is an outrageous system, productive of the most serious difficulties, either a disrespect for the authority of the primary chief, or that in *Trujillo* many times they do not know whom to obey at first or how to proceed with their claims and the matters that come up.

The whole coast from Cape *Gracias* to *Omoa* has a very close connection. Even the arrivals of merchant vessels show this, for most of them bring their registers for the three ports of *Trujillo*, *Omoa* and the *Gulf*; they distribute their cargo among these and take from each their return lading. Therefore the operations and the regulations demanded by them must be uniform and all these matters be directed by one single hand.

This was resolved since the year 1788, respecting the port of *Omoa*, included within the district of *Comayagua*, and it was approved by Royal *cédula* of July 24, 1791, folio 7 of the statement herewith. The circumstances are the same. In *Trujillo* from the beginning there was established a principal office of the Ministry of the Treasury, not a subordinate financial bureau, as would have been done if it had been proposed to make it a dependency of the Intendancy. This delegated superintendency continued its action in direct communication with the Tribunal of Accounts; and it would be necessary to change all this method if the aforesaid ordinance should govern there.

In the execution of the Royal Orders of October 5, 1802, and September 5, 1803, I shall be much embarrassed by the pretensions of this official. And although I may resist them and make myself obeyed as I should be, he will not fail to start contests against me and to begin actions in these or other tribunals; all of

which will result in a loss of time, neglect of attention and prejudice to the service.

He seeks to undertake alone everything that relates to the regulation and police administration of the new settlements, the economic affairs of the Royal Treasury, the affairs of the coast-guards, smuggling, the landing of English people and the trading of the latter with the Indians; all measures which by the aforesaid Royal Orders are committed to the Captaincy-General; and not as the latter desires, dependent or recognizing subordination thereto, but absolutely and without any other authority to give him orders there except the King and the tribunals of appeal here in litigated cases.

How can such pretensions be harmonized with the execution on my part of said Royal Orders, with the measures which I have taken and am taking for that purpose and with my responsibility for the kingdom?

If it should be objected that the Intendant could act under the powers of his ordinance in the branches of police and finance, leaving that of war in all its parts to the Captaincy-General, I shall be permitted to observe that such a system has generally met with very serious difficulties in those countries where it was formerly established and that in new colonies where all the branches are to be created at one time it is absolutely inapplicable.

This is the way in which the Intendant of *Comayagua* has undertaken to introduce his exclusive jurisdiction in *Trujillo*. As Intendant he has sought to deprive the *Comandante* of that post of the position of sub-delegate of the Royal Treasury, which is annexed to his employment. As Intendant he has despoiled the principal officer of the Treasury at that post of the administration of excises which he had in charge. As Intendant he turns over the judicial offices which are to be filled to private persons, to subordinates and even to the surgeon of the hospital, disregarding and taking away the authority of the public employees and officers, from whom there come to me complaints in almost every mail, like those in the Annexed Nos. 1 and 2 which go herewith, the others being more recent. As Intendant in the matters aforesaid of police and finance he does not spare any means of annoying and troubling the colonists, upon

which point I refer to my confidential letters Nos. 30 and 40, of December 3rd and February 3rd last.

Under such a state of things it is not possible for that establishment to prosper, nor that my efforts, even those which may be confined to the branch of war, shall have a happy result, having to be executed by the same employees who come under the control of the other chief and scolded by the latter in those things which he claims and under his superintendence.

It may perhaps be that many of these difficulties arise from the character of Colonel Anguiano and from the disfavor with which he regards the settlement. But generally speaking, with any other Intendant of *Comayagua*, however well disposed he might be, the same thing would happen, if he should adopt the same ideas, that the command and direction of the new establishments belongs to him, because he will find such views opposed to the Royal Orders communicated by the Captaincy-General, and from this single fact in the beginning there will come daily the disputes and troubles we now experience.

The Province of *Comayagua* does not contribute to the establishments of *Mosquitos* except by the detachments of its militia. The amounts that are used in the latter have to be sent from other treasuries of the kingdom, because the branches of the Royal Treasury for the whole of the Intendancy are hardly enough to support the charges of its headquarters. Only in this part, by their proximity, would it be useful for those establishments to depend upon *Comayagua*; but, they depend upon me entirely, nevertheless in the matter of expenses. They come to me with all their needs, and I have to help them; to me are sent the accounts in detail and every month I examine them and take measures for economy, and it is necessary for me to do the actual labor of a true Intendant. What, then, is the charge and what are the functions that are left to him, the one for that province, the chief town of which is distant as much as a hundred leagues from *Trujillo*, with which it scarcely has any relations, in any branch of administration or interest?

For the reason that the Captains-General are the ones who provide armament and troops for the forts, the Royal *cédula*

of May 7, 1740, included in the appendix hereto, sheet 2 over, provided that the commanders of forts were to be subordinate alone to them, with absolute inhibition in civil and criminal matters of the Governors of provinces. I have no knowledge that this sovereign resolution, which is very applicable to the present case, has been changed.

The other bases upon which I rely are found in detail in the chronological note mentioned; and referring thereto I beg Your Excellency to be pleased to give an account to H. M. in order that the proper declaration may issue that I should continue acting in matters concerning the *Coast of Mosquitos*, as my predecessors have done; that the Ordinance of Intendants of *New Spain* does not govern therein, being remitted to this kingdom for its observance only where suitable. And, consequently, that as to *Comayagua*, as a true dependency of this Captaincy-General, it has no right to intervene in said matters unless they are entrusted to it thereby, acting in such cases as delegate or substitute, as the first Intendants did, Quesada and García Conde.

I deem it very necessary that this Royal declaration, or that which H. M. may esteem just in this matter, may be communicated to me as quickly as possible. The strict responsibility to which I am held requires it. There is no event or incident that happens upon the said coast which this unfortunate dispute does not affect. My predecessors allowed it to go on, because the disorder which existed in their secretary's office did not permit them to clear up the question as to their powers and defend them. Now, in the present condition of affairs, in which the Audiencia and the Board are taking part, they annoy and distract me at every step and it is indispensable that the sovereign authority be interposed. Either the Intendant of *Comayagua* is to be the only chief of the *Coast of Mosquitos*, as he asks to be, in which case I will do no more than to transmit to him the Royal Orders which have been communicated to me for execution, relieving myself of the immediate charge and the results thereof; or I should be left at liberty to act as I believe those Royal Orders require, making use of said chief for such things as I may deem convenient by way of a charge or commission to

him, as I understand was done from the time these affairs were first begun.

I do not find any way of securing the advantages of the service between these two extremes. But Your Excellency will be good enough to incline the Royal mind to such course as will be most suitable.

May God guard Your Excellency many years.

Guatemala, March 3, 1804.

ANTONIO GONZÁLEZ.

Excmo. Señor :

To the Most Excellent Secretary of State and Universal Department of War.

STATEMENT OF THE BASES UPON WHICH THIS PRESIDENCY AND CAPTAINCY-GENERAL RELIES IN ORDER TO CONSIDER UNDER ITS IMMEDIATE DEPENDENCY THE ESTABLISHMENTS OF THE COAST OF MOSQUITOS.

1.

Since the year 1782 practical efforts have been undertaken to found establishments, sending to them families from Spain and the Canaries. In the Royal Order of December 6, 1783, the President was directed that he should undertake the work of the reconstruction of *Trujillo* and should occupy the Island of *Roatán* with a detachment, H. M. reserving to himself the appointment of a *Comandante* for those two ports, which (so it says) *must depend immediately upon Your Worship.*

2.

Various events occurred upon the coast between the years 1783 and 1786, but they will be omitted as not bearing upon the point before us, being prior to the Ordinance of Intendants of *New Spain*, it ordering the observance in this kingdom of everything capable of being adapted by the Royal Order of April 22, 1787.

3.

*Years 1786 to 1789. Governor Intendant of Comayagua.
Colonel Don Juan Nepomuceno Quesada.*

The Convention of 1786 between our Court and that of England, concerning the evacuation of the British establishments of *Mosquitos*, was forwarded to this Presidency with Royal Orders of August 15th of the same year, informing it, among other things, that a principal commissioner would be appointed, and the others who would arrange the necessary matters to attend to everything that might come up in the evacuation and in the new settlements that were to be formed.

4.

In consequence thereof the President, Don José Estachería selected as Governor of *Comayagua* Don Juan Nepomuceno Quesada, and sent to him a formal title of appointment, dated February 12, 1787, appointing him principal *comisario* and chief deputy of this Captaincy-General for the matters stated. And by another formal title of the same date he gave the second place on this commission to the Lieutenant Colonel, afterwards Colonel, Don Gabriel Hervías, then *Comandante* of *Trujillo*.

5.

Colonel Quesada was not yet Governor Intendant of his province; but he became such in a very short time, when there was issued to him the Royal despatch therefor on December 23rd of the same year 1786, which was forwarded to this Presidency with the Royal Order of the 25th of the same; and it appears that immediately upon its receipt, which was in April, 1787, its execution was entrusted to him and he entered upon the exercise of his new employment.

6.

He continued, however, attending to the matters affecting the coast in the character of *chief substitute*. As such he rendered

accounts of all the events from *Trujillo* and other places where he went personally as he was needed. By the Presidency he was given opportune directions and they were promptly obeyed. He never claimed that the Ordinance of Intendants should be established in the new settlements in order to exercise therein the powers and jurisdiction which would have belonged to him in that position (if he had done so).

7.

In the Royal Order of January 23, 1787, he was advised of the shipment of families from Galicia, Asturias and the Canaries; he was instructed in the manner of distributing them among the various settlements which were to be formed at *Río Tinto*, at Cape *Gracias á Dios*, *Bluefields* and the mouth of the River *San Juan*, beside that of *Trujillo*; and various remarks were made upon these objects. All these matters were committed, by the President, to the commissioner Quesada, in the first place, as regards the territory of *Honduras*, and he gave him instructions for execution, and in the second place to the substitute Hervías, entrusting at the same time other duties to various officers and employees.

8.

In these matters they were working smoothly. Those commissioned, and the Intendant as the principal one of them, acted in a representative capacity in whatever came up. The President gave his orders to everybody and in all branches, whether in police and government matters or in those of finance and war, sometimes simply on his own motion and without judicial action, and in others after previously hearing the accounting office (*Contaduría de Cuentas*) and the attorney general's office (*Ministerio Fiscal*). The original documents and the copies relating to this dependency, during those years, make up various portfolios of considerable bulk.

9.

The President reported to H. M. the good work that was being accomplished by his agents, in statement No. 852, of August 14,

1787, the second paragraph of which begins with these words: "The Colonel Governor Intendant of *Comayagua*, Don Juan Nepomuceno Quesada, my principal substitute, has distinguished himself in the execution of his duty, etc." And in the Royal Order of January 20, 1788, the same President stated to H. M. that the officials whom he recommended should be rewarded and that he should especially have in mind Quesada, in order to transfer him to a more advantageous post of the government.

10.

In the years 1787 and 1788 there arose a noisy contest between the Audiencia and the President as to which should act in a smuggling case upon the coast of *Trujillo*. The *Comandante* of that port, Don Gabriel Hervías, under the instructions which the President had given to him, assigned a squad of troops to pursue the smugglers under the command of the Captain of the army, Don Cristóbal Bernal. The latter was able to arrest some residents, all of the Province of *Comayagua*; and conducting them as prisoners by land to said port he was attacked by a larger number of guilty persons, the result of which was that some were wounded in the affray and the main criminals succeeded in escaping. The President, to whom a report was made by Hervías and Bernal of this event, directed the proper proceedings to be instituted and he proceeded thereafter with the cause until it was finished. A large number of persons were put in prison for complicity in contraband transactions with the English; and the affair being all ready for definitive sentence, the question came up to whom the regular jurisdiction belonged, and that in such a case the papers should go to the Audiencia for its determination. The President, who acted with his judge counsellor for the affairs of war did not agree thereto, and after many official communications and discussions he made a statement to H. M., with testimony as to everything, in report No. 853, of August 15, 1787. The Royal decision was communicated in the *cédula* of February 8, 1790, that in cases of this character there should be observed in this kingdom what was commanded in Spain in respect to highwaymen and smugglers who resisted with arms the troops engaged in their pursuit. During the whole of these proceed-

ings, in which many documents were prepared, there is no mention to be found of the Governor Intendant of *Comayagua*. All the criminals belonged to his province and they were arrested quite in the interior; but their principal offense was committed on the coast and at *Trujillo* where that official never was considered to have any jurisdiction or powers, other than those delegated by the Presidency.

11.

In February, 1788, the Intendant Quesada made a statement concerning an addition to his Intendancy of the *Alcaldía Mayor* of *Tegucigalpa* and the district of *San Pedro Usula*, and that it should be declared whether the Royal financial offices (*reales cajas*) of *Omoa* should be subject to him. In the Superior Board (*Junta Superior*), where the President gave his opinion, the former was approved, it being determined as to the latter that the station of *Omoa* should be continued separate from the government of *Comayagua* in all matters and subject directly to the sub-delegated superintendency and superior government, which H. M. approved by Royal *cédula* of July 24, 1791. In this instance it is to be noted that the Intendant consulted as regards *Omoa* and not *Trujillo* and the other points newly settled upon the coast of *Honduras* nearest to the headquarters of his Intendancy, and where there were already at that time financial bureaus established and other public offices.

12.

At the end of the year 1787, the need of appointing employees of the Royal Treasury for the establishments of *Mosquitos* was recognized and a despatch was prepared after consultation in regard to the matter with the agents Quesada and Hervías; it was taken before the Superior Board, where it was determined to create a principal official, an interventor and a clerk for *Trujillo*, a deputy official for *Río Tinto*, and others of like character with various allowances, for Cape *Gracias á Dios*, *Bluefields* and *Roatán*, all points already occupied or which it was proposed to occupy with detachments of colonists. Therefore the President appointed such employees temporarily, saying in his statement

No. 23, of December 11, 1787, in which he gave an account of everything to H. M., that he had done it at the suggestion of his *principal agent for all purposes of those colonies, the Governor Intendant of Comayagua*, Colonel Don Juan Nepomuceno Quesada. And all this was approved by H. M. in the Royal Order of August 20, 1789.

13.

In the same year of 1789, there was a vacancy in the position of principal official of *Trujillo*; and the statement of the President, No. 305, of September 10th of the same year, in which he gave an account to the King of the temporary appointment which he had made, begins with these words:—"The Governor Intendant of *Comayagua*, Don Juan Nepomuceno Quesada, my principal agent in the matters of the *Coast of Mosquitos*, on account of the death of Don José Márquez de Castro who held the position of principal official of *Trujillo*, suggested to me in the first instance therefor the interventor of the same office, Don Tomás Nicolás Villa, etc." This appointment was approved by Royal Order of March 31, 1790, and by another of the same date, which he also made for the position of interventor of Don Agustín de la Gándara in place of Villa.

14.

It is to be noted that the office of the Royal Treasury of *Trujillo*, as a principal one, was from its beginning established in entire independence of the financial bureaus (*cajas*) of *Comayagua*, being required to render their accounts directly to the tribunal therefor and without the Intendancy being mentioned for any of these purposes; in which system there has been no change up to the present time.

15.

The events upon the coast during those years and those immediately following were many and varied in character. In order not to make this paper too long, it will be enough to take extracts from the Royal Orders which apply to some of them.

I. That of February 15, 1787. It approved the order of the

President for the construction of three pirogues at the port of *Trujillo* to pursue smugglers, and authorized him to provide for the construction of others in case they should be required for the Royal service.

II. That of January 20, 1788. It states that H. M. is informed of everything that has happened since August, 1787, in the new establishments and in *Bluefields* between Colonel Quesada and the Englishman Robert Hodgson, and provides that as regards the placing of a detachment and making a settlement at *Bluefields*, the President is to proceed in accord with the Archbishop Viceroy of *Santa Fé*.

III. That of the same date. H. M. is advised of the arrival at *Trujillo* of the families of Canary islanders, of the arrangements the President had made for their assistance and equipment and the other measures he took in that affair.

IV. That of August 1, 1788. The Intendancy of *Havana* is not to be sparing in the supplies which might be asked for by this Presidency from it for the purposes needed upon said coast.

V. That of August 20, 1789. Approving the measures taken in consequence of the arrival of other Gallician families.

VI. That of the same date. H. M. is advised of the number of the sick and dead among the aforesaid families of settlers and of the location of the establishment at Cape *Gracias á Dios* to the great satisfaction of the Indians.

VII. That of August 20, 1789. Approving the request for 300,000 pesos made to the Viceroy of *Mexico* for the affairs and expenses of the establishments.

VIII. That of August 24, 1789. That there had been forwarded to the Ministry of State a letter of President Estachería, No. 102, of May 5, 1788, relative to the action of the commander of the English frigate "Calipso," at the port of *Trujillo*, to the end that there should be transmitted to the Court at London the corresponding official communications concerning the conduct of this and other commanders of vessels of the same nation in that same port.

IX. That of August 20, 1789. Allowing permission to be granted, without precedent, for the sale of goods brought by an English frigate to *Río Tinto*.

X. That of the same date. A report is to be made concerning the condition of the Indians of the coast, of the presents given to them and of the foreigners who might be left in the establishments, directing that only those who are desirable are to remain after taking the oath of vassalage and the rest that is mentioned.

XI. That of the same date. In accord with the Viceroy of *Santa Fé* report is to be made of the annual sum that should be appropriated for making presents to the Indians, with due details as to goods and quantities; with which information their furnishing, sale or barter is to be done only by this government, under the provisions and in the manner proposed.

XII. That of January 25, 1790. His Majesty being informed of what the President stated in previous letters concerning the bad condition in which the establishments were found for lack of provisions, troops and war-vessels from *Havana* and of the accessions which the English had, keeping up illicit trade, he again directed that there should be given to this government all the assistance which it requested for these matters; that from *Havana* the war-vessels would be sent which should be needed and that a report be made in regard to placing an establishment at the mouth of the River *San Juan*, with further directions concerning Colonel Hodgson.

16.

The events as to contraband trade, of which this last Royal Order makes mention, were varied during the years stated. While the Intendant Quesada was in *Trujillo* he made a report of them to the Presidency; afterwards they were made directly by the special commanders, either from *Trujillo* or from *Roatán* and from the other occupied posts. The President informed H. M. with copies of the same and other documents, at different dates. Despatches were prepared in some cases and the same President acted therein and continued to do so until their conclusion. In none of this character will it be found that Colonel Quesada ever acted as Intendant; and whenever the President mentions him in his statements to the Court, it is always by the designation as his Chief deputy (*principal substituto*).

17.

He continued in this position, notwithstanding his having been relieved from the government and Intendancy on account of the failure of his health. On August 19, 1788, he reported this matter with a certificate of a physician that he should be exempted temporarily from all business and that another station should be given to him. And the President, with the opinion from the office of the attorney general, decided that *reserving for himself the matters of the new establishments of the coast in which he was deputy (substituto) of this superior government, he may be relieved as regards the other things belonging to that government and Intendancy, transferring them and entrusting them to his learned deputy.*

18.

This chief took possession of his charge on October 14, 1789, and he continued to act therein in the character of principal agent of the Presidency and Captaincy-General as to matters on the coast and its establishments, as is proven by the facts which are hereafter stated.

19.

In the Royal Order of May 20, 1790, the President was advised that the correspondence which had been conducted with the Knight Commander of Malta, Don Antonio Valdés, concerning matters relating to the Indians and establishments of the *Coast of Mosquitos*, should be conducted with the Ministry of War for the Indies, under the charge of the Count of Campo del Alange.

20.

Don Bernardo Troncoso was President at that period, and although there was nothing of special importance occurred during his administration, everything that he did was carried on and acted upon as it had been done by his predecessor Estachería.

rendering an account to the Court of whatever appeared to be worthy of the Royal notice. During his time the pretensions of the *Moscós* and *Zambos* Indians took shape. A contract was made with the English colonist Meany of *Rio Tinto* for the introduction of merchandise from England into that establishment, under the pretext of containing the presents which had been made to these savages mentioned, which led to serious results. This same Meany, by commission from the President, undertook an exploration of the lands occupied by those tribes, of which he sent a very prolix journal. All of these things went on without the intervention or the knowledge of the Intendancy of *Comayagua*, which forwarded the original papers given to it in some matters by the *Comandantes* of the stations and acted in accordance with the instructions of the President.

21.

Among the Royal Orders of this period the one of June 26, 1791, is noteworthy, which contained eight articles concerning various matters upon which this Presidency consulted H. M. These referred to the admission into *Guatemala* of Colonel Robert Hodgson; to the death of the *Mosco* Governor Carlos Bretel; to the pension to the widow of the latter; to the aforesaid contract of Meany and company to bring in English goods for the Indians; to the prevention of any monopoly in the trade with the latter and in their presents; to carrying out the establishment at *Bluefields* and to the matter of asking for coast-guards from *Havana*, directing that the *Comandantes* of the establishments and others whose duty it was to comply therewith be advised of these separate despatches.

22.

In the year 1792 the Intendant García asked for a report from the President concerning his merits and services and in pursuance of his written communication the following decree was issued:

"Royal Palace, September 17, 1792:

"Being assured and satisfied that the Brevet Colonel Don Alejo

García, Governor and Intendant of *Comayagua*, has conducted himself with great zeal, honor and equity, not only in the inspection of mines which was carried out as to those of *Tegucigalpa* by order of the King, *but also in the care and attention given to the COAST OF MOSQUITOS, in which he acts as deputy of this Captaincy-General*; let this original despatch be delivered to him, retaining a copy, etc."

23.

Many abuses were committed in the foundation of the establishments, which in great part have not been corrected down to the present administration. A Royal Order of March 20, 1794, issued by the Ministry of War, begins as follows:

"The Governor Intendant of *Comayagua*, in a confidential statement of October 20, 1791, *although being in everything dependent upon this Captaincy-General*, in order to be indemnified for the results which may ensue upon the *Coast of Mosquitos*, states: that from the time the plans for the establishments were begun all the dispositions were wrong, etc." He was directed to report upon all the points in that statement, which embraced the expenses incurred, sickness and death of the colonists, the regulation and policing of said establishments and as to whether it would be best to locate in them fixed companies, to reduce the veteran regiment to a single battalion, to rebuild *Trujillo* with better materials, to locate colonists at *Bluefields* and the River *San Juan*, and to give other news and details for which he had been repeatedly asked since the year 1790.

24.

This report was neglected by President Tronicoso. His successor, Don José Domás, in October, 1794, petitioned for the creation of its own *Comandancia* for *Trujillo*, suggesting therefor Don Salvador Javalois, and he was answered by the Royal Order of April 20, 1795, that H. M. reserved a decision upon this matter until after the said report should have been forwarded.

25.

The colonies were daily falling off and the expenses were in-

creasing. The Viceroy of *Mexico* made a statement to the Court to the effect that the treasury of *Mexico* should be reimbursed for the amounts furnished for these objects. He addressed his statement to the Ministry of the Treasury, by which it was turned over to that of War, in virtue of the Royal action taken in 1790 (Sec. 19), giving the latter charge in all these matters. This led to the new Royal Order of June 1, 1796, asking again for the said report and that the annual appropriation for the new settlements be settled at a fixed price.

26.

About this time the substitution of salaries instead of presents, which had been given to the *Mosquito* chiefs and *Zambos*, began to be discussed. The *Fiscal* (Attorney General), Don Miguel Bataller, presented a plan concerning this matter, which later he made to extend to the reform of all the establishments, having only existed in that of *Trujillo*. The President Domás and the War Board resolved upon the famous commission of the Lieutenant Don Miguel Sánchez Pareja, the results of which are well known. All of which was carried out without the intervention or the knowledge of the Intendancy of *Comayagua*.

27.

The documentary evidence of these operations reached the Court and confirmed the idea of the disorder in which matters had been going along upon the *Coast of Mosquitos* and of the enormous and useless expenses which were being incurred. In the year 1798 H. M. appointed as sub-inspector of the troops of this kingdom the Colonel, now Brigadier, Don Roque Abarca; and one of the principal charges in the instruction which was given to him was that he should suggest measures for regulating the garrisons of those establishments, securing a reform in expenses and attention to the defense of the country, for which purpose the President was directed to furnish him with information and assistance. And upon an examination of the said communications concerning the commission of Pareja and its circumstances, it was again provided in the Royal Order of December

18, 1798, that the sub-inspector charged with the duty of the organization of all the matters on the coast should be assisted, so that an arrangement might be carried into effect tending to the defense of the kingdom, the development of its settlements and of these same establishments.

During the years from 1796 to the present. Governor Intendant of Comayagua, the Colonel Don Ramón de Anguiano.

28.

From the time this official took possession of his position in 1796, he claimed not only to exercise the powers and jurisdiction of the Ordinance of Intendants in the establishments, but that he was independent of all the tribunals of this capital. Thus, he petitioned the King in a statement of June 28, 1797, claiming that there should be created in his province a semi-Audiencia, with two judges and judge counsellor for the affairs of War. In the Royal *cédula* of November 20, 1798, the said statement was forwarded to the Royal Audiencia, so that disregarding the project which he proposed, it should report upon the other points, which amounted to the supposition that the Captaincy-General was subordinate to the provinces and that these latter would not be prosperous until each one should have its own independent government. The *Fiscal* Ministry, of which Don Diego Piloña was the head, stated on September 16, 1800, that "without doubt the Intendant Auguiano had stated the matter in such terms in consideration of the colony of *Trujillo*, which continued subordinate to the Captaincy and Superintendency General and that it was very problematical and doubtful as to whether or not its addition to the political administration and Intendancy of *Comayagua* would be desirable or not." None of the officers of the Audiencia who reported contradicted this point, nor could they contradict it.

29.

There are the smuggling cases which occurred in *Trujillo*, of Don Esteban Cordeviola and of Daniel Edes. The Intendant

started a contest against the President, who neglected to represent to the King with due proofs the facts and bases contained in this paper. It was declared by Royal *cédulas* that the hearing of those causes was a matter for the Intendancy under the general regulation of its ordinance; and in virtue thereof in those of a like character which have arisen since it has not been disputed. But said *cédulas* never changed the system of immediate dependence of the establishments, nor does it appear that they can make a regulation for the other objects that are to be settled, police, coast-guard and defense, upon which points other Royal Orders have been communicated to the President, subsequent to those same *cédulas*, as the result of representations made and by the commission of the sub-inspector.

30.

The coast was travelled over by this official in pursuance of his instructions, and with the information which he deemed necessary he prepared his plans and they were approved by the Royal Order of October 5, 1802. In the various paragraphs thereof he treats, among other things, of the furnishing of provisions for these establishments, of reforms in their expenses, of guards upon the coast for the prevention of smuggling and to watch the Indians; all resolved upon by the Ministry of War and communicated to this Captaincy-General for execution, to which it has been attending and upon these points the present President has already taken many measures, conforming in everything with the intentions of H. M.

31.

The same present President proposed to the King the creation of a *Comandancia* having charge of the port of *Trujillo* itself, and H. M. was pleased to accede to it, appointing thereto the Lieutenant Don Manuel Fernando Dambrine, by Royal Order of April 10, 1803, in which the execution is provided of the reservation made in that of December 6, 1783 (Sec. 1). Before the *Comandantes* there were officials of the regiment stationed there, appointed by commission from the Presidents, who removed them

at their pleasure, with or without cause, and they were, as they ought to be, entirely at his orders.

32.

The establishment of *Trujillo* alone continued, the others having been abandoned by dispositions of the War Board and of the President Domás. But the Royal Order of October 5, 1802, cited, charged that they should endeavor to preserve those of *Roatán* and *Río Tinto*; and in consequence thereof the President provided that a small detachment should be placed at *Roatán*, until circumstances permitted other measures to be taken, as to which the Sovereign was being consulted.

33.

He made a report concerning *Río Tinto* on March 3, 1803, with the account of its surprise and abandonment in the year 1800, stating what he deemed opportune about it. And in pursuance thereof by the last mail he received the Royal Order of September 5th last past, in which he is commanded, in conformity with the suggestion of the Board of Fortifications and Defense of the Indies, that the fort, settlement and garrison be re-established in that location; that two coast-guard vessels be provided from *Cartagena*, being relieved annually, to prevent smuggling and the landing of the English; that trade be carried on with the Indians, granting favors and privileges to the Spaniards who undertake it, with other matters which were by the special channel of the War Department communicated to that of the Treasury, in order that the latter issue the consequent Royal Orders; the President being instructed in the meantime to execute it as far as it pertained to him and that official communications had been forwarded to the Ministry of Marine as regards the coast-guard vessels.

34.

From what has been stated it is clear that so far as regards the past and present action in connection with the establishments

of *Honduras*, they have been committed by H. M. directly to this Presidency, as to every phase of their command, and the latter has proceeded under that idea; that the Ordinance of Intendants of *New Spain* did not change this system, and that if the Intendancy of *Comayagua* ever acted in any of the matters of said establishments, it was under powers delegated by the same Presidency in the character of its agent.

35.

It would not be possible to vary the system described without the most serious results, since, in the new colonies, the foundation of which was connected with the execution of the treaties entered into with the Court of England and with other high objects, it was necessary to use various officials under commissions at the same time at different places and to keep up a delicate correspondence and one of much interest, sometimes with heads of the British establishments in the beginning and sometimes with the Viceroyalties of *Mexico* and *Santa Fé* and with the Government, the Intendancy and *Comandancia* General of Marine at *Havana*; which could not have been done by the special chief of a province, nor by the superior one of the kingdom unless all these matters passed through his hands.

36.

Many things are now being arranged in pursuance of the plans prepared by the present President and approved by His Majesty, and under the Royal Orders cited of October 5, 1802, and September 5, 1803. The correspondence with the Governments of *Mexico* and *Havana* has never been more interesting, for now the annual allowance for the establishments is under discussion; the budget has already been prepared for the expenses which were insisted upon since the year 1790; measures are being undertaken for the resettlement of *Roatán* and *Río Tinto* in order to put the guarding of the coast upon a permanent footing and to combine the furnishing of provisions, the development and police administration of the settlements, the trade and commerce with the wild Indians and the defense of the posts with economy to the Royal Treasury.

For all of the foregoing the President Captain-General is authorized; but it cannot be conceived how it can be done if the Intendant of *Comayagua* is to exercise in those establishments the wide powers of his ordinance, giving them up to him with entire independence and no other recourse than that of appeal in such cases to the Audiencia and the Superior Board of the Treasury.

The creation of ordinary *Alcaldes* and *Syndics* in *Trujillo* is embraced in the plan which the present President prepared for the regulation and police administration of that establishment, where as to other matters he was already acting. And since the organization of these settlements is entrusted to him by H. M., there is no doubt that this is one of the most essential points to which attention must be given, as has been done, there being dependent upon such creation the carrying out of many measures affecting the Royal Treasury and the political and military regulation of the colony.

Considering what has been stated with the present claims of Colonel Anguiano, the same that he has set up since the year 1797, it seems evident that neither *Trujillo*, nor the other establishments of the coast of *Honduras*, have been considered down to the present time as subject to the administration and Intendancy of *Comayagua*, notwithstanding the two Royal *cédulas* cited relating to special cases of smuggling. And the President having the immediate responsibility in these matters, believing that the aforesaid contentions are not compatible with good service, nor the execution of the Royal Orders indicated, he applies to H. M. for the corresponding declaration, although in his opinion it was unnecessary, to cut off at the roots these disputes and the serious effects which are becoming very evident.

Guatemala, February 29, 1804.

GONZÁLEZ.

Don Roque Abarca, Sub-Inspector of Guatemala, to the Secretary of State and of the Universal Department of War, Refuting the Statements of Don Tomás O'Neill and the Opinion of the Board of Fortifications and Defence of the Indies. Doc. 194

GUATEMALA, May 9, 1804.¹

MOST EXCELLENT SIR:

The Captain General of this Kingdom, Don Antonio González, has communicated to me for my cognizance the Royal Order of November 20, 1803, and the opinions which were given to the King, our Master, under date of September 2nd and October 21st of the same year by the Board of Fortifications and Defence of the Indies. I have noted from these documents that His Majesty approved the plan prepared by the Governor of the Island of *San Andrés*, Don Tomás O'Neill, which undertakes to withdraw from the Captaincy General of *Guatemala* the island aforesaid, Cape *Gracias á Dios*, the Port of *Bluefields*, and in a certain way also the *River of San Juan*, adding all of these places to the Viceroyalty of *Santa Fé*, under the immediate orders of the said O'Neill.

If I knew that this plan was prepared by the members who compose the Board mentioned, I would not be so venturesome as to attempt to controvert it; but I have in my possession unquestionable proofs that the ambition and private interests of O'Neill have led to impose upon the great undertaking of the King by artful documents, and upon the members of the Board in various ways; and his first efforts having been frustrated, he has finally attained his purposes by directing his representations and those of the residents of the island through other channels. What I wish to say is, that he has concealed from all those high officials who know the country the true purpose of the plan and the facts as to its authorship.

Before showing the errors of his plan and the falsity of the suppositions upon which he bases it, I must refer to the fact that the commission which was confided to me in these dominions was

¹ Archives of the Indies. Audiencia of Guatemala. Duplicates of the Governors Presidents. Years 1803 to 1804. Peralta—C. R. y Col., p. 281.

that of arranging the veteran troops and the militia, which I have already done. I was also directed, as an accessory matter, to examine whether it was possible to make the possession of the *River Tinto*, Cape *Gracias á Dios* and the Island of *Roatán* safe, and to form a colony at *Bluefields*, establishing at once permanent veteran companies at those ports. The plan of O'Neill reduces itself to this, that without increasing the expenses indispensable for the establishment of these troops, volunteer peasant settlers be sought who would be willing to go and take up their residence at the points mentioned. His plan is nothing else but an attempt of a different kind from the operation with which I come here charged; and consequently his ideas do not in any way contradict those which I have submitted in my writings, but he rather notifies the Board that they do not conflict with my dispositions.

I have deemed it necessary to make this statement, for it must not be thought that it is my own self esteem that leads me to criticise the plan of O'Neill and to support my own with more tenacity. A full knowledge of the errors contained in that of this officer, and the proofs I have of the perverted intentions with which he prepared it, are the only reasons which lead me to address this statement to Your Excellency, which I will divide into two parts. In the first part I will bring out the serious injuries which will result if this plan is carried out, and even if an attempt be made to realize it; and in the second part I will show that even if it were desirable to carry it out, its execution should not be entrusted to O'Neill.

PART FIRST.

The Plan of Don Tomás O'Neill contains many errors and it is based upon false suppositions.

I may be excused from speaking of the assistance O'Neill asks for, respecting which it is immaterial whether he asks for more or less, since in my opinion it is not desirable to allow him any at all; and with this view I will begin the criticism of his plan with the first proposition he offers.

He says that “* * * the natives of the Island of *San Andrés* have already given proofs of their fidelity, by having alone maintained themselves during the three years of the last war with the English while the Captain General of *Guatemala* had commissioned him outside of that position.” But it is necessary to examine how they had been faithful in order to understand what their great fidelity amounted to. They were not attacked, consequently they could not have shown themselves loyal in the defense of the soil. I may be told that they showed it by not having offered to deliver up the island to the enemy, but the fact is that none of them considered such a delivery desirable. The possession had been nothing more than a depot for English merchandise. The English vessels came there, left their goods, and the inhabitants of the island introduced them clandestinely into this Kingdom at various places. It is very clear that neither they nor the English have thought as suitable a change in the rule of the colony.

Let us pass to examine another point, which perhaps is more interesting and with which O’Neill had greater trouble. He wanted the orders of the Court sent to him by way of *Cartagena*, alleging that the latter port was situated at a less distance than those of *Guatemala*, and he also wanted for the same reason to have the island and the establishments of *Bluefields*, *Cape Gracias á Dios* and the mouth of the *River San Juan* added to the Viceroyalty of *Santa Fé*, taking all those points away from the Captaincy General of *Guatemala*. There is no limit in my mind to the pertinacity of O’Neill in the reports he gave upon this point to impress the King and the members of the Board. His reports are sadly lacking in truth and he cannot excuse himself on the ground of ignorance, because he stayed a long time in that Viceroyalty, and while he is sure that the 120 leagues that lie between *Cartagena* and the Island of *San Andrés* are really navigated, he also knows that the return navigation is very slow, that is, from the island to *Cartagena*, because it must be done with the wind always nearly dead ahead and not from the side, as he supposes. There are in Europe many marine officers who are acquainted with those seas, and I refer to them.

O’Neill knows very well that it would not be at all strange

for him to write to the Viceroy of *Santa Fé* and wait six months for an answer, inasmuch as he refers to this difficulty by asking that orders and powers be given to the Governor of *Cartagena* to furnish him with help; but every pilot knows that such help would come more quickly from the ports of this Kingdom, which is 40 leagues distant from the island, more or less, and the navigation can readily be carried on with the strength of the usual side winds. O'Neill lays much stress upon the difficulties that are presented by the roads which run between the city of *Guatemala* and the coast, which point might have been well taken if the supplies had to be sent from this capital, but as they would be forwarded from the ports his arguments are only an effort to throw dust in our eyes. Is there any reason why the Commandant of *Trujillo* should not be given the same orders that O'Neill wants to have given to the Governor of *Cartagena*? None whatever: and if we compare the distance that lies between the capitals of the kingdoms and their respective ports, let O'Neill be asked whether the road is any shorter from *Cartagena* to *Santa Fé* than from *Guatemala* to *Trujillo*.

It would be very easy to add many reflections in this connection which would not leave the least doubt of the correctness of my statements, but O'Neill himself saves me this trouble. I have his own writings in which he admits that the settlements we are discussing must be dependent upon the Captaincy General of *Guatemala* and he addressed these papers to me because I was the first one he tried to take unawares. Scarcely did he learn the object of my commission than he communicated to me his plan, so abounding in reasons and so imbued with false zeal that he succeeded in persuading me of its usefulness, in consequence of which I told him in writing that he should state to me the conditions under which he would be willing to undertake the duties of the position of *Comandante* of the ports mentioned; and he replied to me in a paper with twelve paragraphs, of which I enclose a copy, and I will present the original to the President here in order that its legitimacy may be certified.

In the first paragraph he proposes his absolute dependence upon the Captain General and the Sub-Inspector of *Guatemala*. Consequently, it follows that the difficulties do not exist which he now

exaggerates, in having the settlements depend upon that government. The first propositions that O'Neill made to me were based upon the supposition that the Government was to keep the Island of *San Andrés*. He laid the greatest stress upon this point, but he was not able to get it approved, and he desisted with the condition which he expressed in the 6th paragraph, that he was to be permitted to remain for one year in the island to close up his affairs.

In the rest of the paper he shows too much of the mercantile spirit, which dominates him, and especially in the 8th and 9th paragraphs, where he admits that he has negro slaves and workmen who are masons and carpenters. This paper made me suspect the intentions of O'Neill; but as soon as I became practically familiar with the Kingdom and the circumstances of the person who prepared the plan, I knew also that *it ought to be rejected with indignation*. Here another fact should be noted. Having approved the plan of O'Neill, my decision upon realizing its character, places me in a position where I cannot be accused of a spirit of obstinacy or of being so zealous that I insist upon my own ideas being adopted while ignoring or criticising those of others in order that only my own may shine.

O'Neill seeing I had discovered the real objection to his plans and that, consequently, I would not approve them, addressed himself to the President here, but not being able to delude him, he took refuge in the expedient of withdrawing from his domination.

It being proved, therefore, by these writings of O'Neill himself, that he made these efforts to obtain the position under the orders of this Captain General, we can ask him as many questions as he makes suppositions in the plan that he forwarded to the Court. How could he wish to be dependent upon a Government which could not help him? Why did he ask to be under the orders of superiors who lived at such a distance, having so close at hand those of *Santa Fé*? Of this same sort are the others which I will refrain from making, because they will readily be evident to the penetration of Your Excellency.

I have spoken thus far of the separation of the establishments as regards their being subject to the Viceroy of *Santa Fé*, and

it remains for me to speak of the essential element in the plan. To domicile voluntary colonists upon the *Coast of Mosquitos* is impracticable if they are men who do not go thither with a view of smuggling. The lands which can be allotted to them are deadly and upon them they would always be exposed to being made the victims of the savages. These latter keep up a continual traffic with the English, and the colonists will also even without wishing it, or at the least will be quiet spectators of that carried on by the Indians, since they will not be able to oppose it. The two hostile nations will always keep a watch upon the progress of the new settlements, in order to destroy them when they get ready, which would be done even if we were at peace with the English, because these latter would incite the savages to undertake the business; and in this they would not encounter the least trouble, as they did not find any at the *River Tinto* when, instigated by three Europeans of that nation, they attacked the colony, putting to the sword the greater part of its inhabitants.

I will continue: Supposing that voluntary colonists were found, and of good intentions, who should seek to establish themselves upon that coast; in this event the Indians would keep the Government of *Guatemala* always compromised by claims for presents and threats to sacrifice the colonists unless their demands were granted. This is so natural to their character, that a few months ago they came to ask for gifts and other things from the *Comandante* of the Fort of *San Carlos*, threatening to kill the detachment at the mouth of the *River San Juan* if they were not given what they asked for; so that it was necessary to reinforce that position. By way of *Chontales* and other places they would make raids to carry off women and cattle, and whenever we sought to punish them they would seize and hold the colonists as hostages, without leaving us any other alternative than to let the aggressors go free or abandon those poor victims.

Where can men be found who will expose themselves to such risks? The reply may be made that the right to property is a very powerful incentive, and that persons will not be wanting who will undertake it, animated by the idea of profiting by the land which will be granted to them; but this specious reasoning can only delude Europeans who are unfamiliar with the country. In

the neighborhood of *Trujillo*, in the vicinity of the Fort of *San Juan* and near the Castle of the *Gulf*, fertile lands are being offered, healthful and safe from attack by the savages, without as yet any one being found to take them; so that it is clear only some men who have no judgment, or those who have the secret purpose of joining with the Indians to carry on smuggling operations, will choose a destiny so uncertain and dangerous as that proposed by O'Neill, rather than one as advantageous and safe as that which is offered at the ports mentioned.

In my plan for economies I have proved that even with the aid of a permanent company of a hundred men for each settlement, it will be impossible to support them. To prevent the savages from destroying them it will be necessary to construct in them fortifications of the third class, such as a square construction with towers at the corners which should flank the curtains instead of bastions, because these latter would always be exposed to attack by hand missiles and their advantages for defense against artillery of beseigers would be of no consequence with foes who do not have any of large calibre. I have also said in my plan mentioned that the sparse population of the Kingdom of *Guatemala* could not afford to support the garrison necessary in order to put the establishments in a regular state of defense; and asserting again what was stated in that document, I likewise maintain that any military persons who plan to settle the *Coast of Mosquitos*, disregarding the method I suggest, do not know the country; they are ignorant of the circumstances of the *Zambo*s Indians; they do not know how an offensive and defensive warfare should be carried on against wandering tribes, or they are actuated by their own private interests and plans like Don Tomás O'Neill.

To establish colonies upon the *Coast of Mosquitos*, that of *Trujillo* must be helped in every way possible, until its inhabitants have developed agriculture and acquired property which will permit taxes to be levied upon them. With the yield from these two towers could be built, each one capable of accomodating twenty colonists and a detachment of one sergeant, three corporals and six soldiers, who would be relieved by the garrison of said port. The first tower ought to be built at the mouth of the

River Aguán, distant eight leagues from *Trujillo*, and the second at *Chiriboya*, which is ten leagues distant from *Aguán* and seven from the *River Tinto*. As soon as the colonists of these towers got to living comfortably with the produce of their plantings, taxes would also be levied upon them, and then an effort would be made to establish a colony at the *River Tinto* with a fortification like that I have mentioned, and until its inhabitants were in a situation to pay taxes no step would be taken toward forming the establishment of *Cape Gracias á Dios*.

The colonies of the ports of *San Juan* and *Bluefields* ought to be established by the Province of *Nicaragua*. The present President is forming one in the neighborhood of the ruined Castle of *San Juan*. Later on he will organize another at *Machuca* and afterwards one at the mouth of the river. These improvements being made, an effort will be made to establish one at *Bluefields*; but constructing at the same time a tower at *Punta Gorda*, which is a little port intermediate between the two places mentioned. Another tower is also needed on *Pearl Lagoon*.

These operations will take a great deal of time; but there is no need of hastening them, in view of the present situation of the *Zambos* Indians. I would analyze this project further, if it were to be undertaken; but we are very far from that yet. The support of the settlements for so many years has depopulated the Kingdom, as I have set forth in my "Plan for Economies," and if it is not to be allowed to go to waste entirely, it is necessary in order to establish the first colony upon the *Coast of Mosquitos* to wait until the number of men at *Trujillo* is augmented. With these agriculture will be protected, observing the common but very true proverb, that the only way to succeed in increasing settlements is that *there shall be many that plant but few that reap*. It is clear that the laborers plant and that those reap who draw salaries and who consume provisions.

If the *Coast of Mosquitos* is not settled up in this slow but sure way, it will never be attained, in my opinion. It is indispensable that the men who are to settle it shall all start from two places therein. *Trujillo* and the new colony which this Captain General promotes in the neighborhood of the ruined Castle of *San Juan* will be the sources through which the new settle-

ments will come in the way suggested; that is to say, that on the part of *Trujillo* settlements will be carried as far as Cape *Gracias á Dios*, and by that of the *River San Juan* as far as *Pearl Lagoon*. I repeat that it must be understood that this will be when there are in the first colonies a sufficient number of people to form the second, with forces for making a vigorous defense, affording time for help to arrive. This not being so, I insist (as I said in my "Plan for Economies") that "the Kingdom of *Guatemala* is so large, compared with the number of its inhabitants, that it can not be defended, without leaving a portion of the same unpopulated, so that enemies shall not find any resources therein."

It may be that I am mistaken in all of these calculations, and that the King and Your Excellency, recognizing my errors, may resolve that the plan of O'Neill is to be carried out. Even if this should happen, I am firmly persuaded that the execution of it should not be confided to that official, for the reasons which I shall now proceed to state.

SECOND POINT.

If the Plan of O'Neill is to be carried out, it is absolutely necessary he should not be the one to whom it should be entrusted.

Whenever men capable of forming an opinion come to know Don Tomás O'Neill, they classify him as a smuggler, and this is one of those truths that no one doubts, because it is proven by thousands of particular proofs, even though they may not be legal ones, he not having been caught in the act. During that last war with the English, he withdrew from the Island of *San Andrés*, but it was not, as he suggested, because the distance did not permit him to succour it, but because he asked for assistance to such a considerable extent that it could not be furnished to him. At the same time that he asked for it he made some secret efforts with some members of the Board of War, so that he might be ordered to withdraw from the island, allowing him to come to *Granada* in *Nicaragua*. Those who did not penetrate this manoeuvre were for some time perplexed, but the explanation of the mystery was not long delayed. They assert that the

Island of *San Andrés* was then being made a depot for English merchandise, and that the object of O'Neill's was to bring a great quantity of them, for one-half the profits, to his correspondent Don Agustín de Alfaro, a resident of *León*.

It is very sure that the residents of the Province of *Nicaragua* assert the introduction of this contraband and it is more than probable by the fact that O'Neill is married to a daughter of Alfaro. I cannot nor will I try to fix the value of these public and general reports, but it seems to me that they are sufficient to cause O'Neill to be suspected, although it does not nor could it result in his conviction, even if a case was made out against him; that is to say, on account of the non-existence of the *corpus delicti*, or what is the same thing there having been no seizure of the goods upon their introduction.

While I was in the establishment of *Bluefields*, I talked with the two principal Indian *Zambos* (half-breeds) after George²; the ones we call Tomás and Melchor, and who are the ones who have under their orders the fleet of boats and canoes belonging to those savages. These Indians, speaking to me of various Spanish officials whom they knew, said to me: "O'Neill is half and half * * *" I made an effort to get at the sense of these words, and I understood that they classified O'Neill as a neutral between our nation and the English, because he commanded the Spanish possession and received in it the English vessels and cargoes, we being at war with them. These two Indians spoke poor Spanish but some English. An interpreter of this latter speech was with me and to better satisfy myself I instructed him to examine them well, and he asserted repeatedly that the Indians said to him the same that I had understood. There was present at this conversation my adjutant, Don Pedro Salcedo, and the Lieutenant of the permanent regiment, Don Francisco Andrés Envite.

The same Melchor and Tomás told me that an English vessel had arrived at the Island of *San Andrés*, bringing an individual of that nationality to discuss with O'Neill the method of recovering the negroes who were slaves of Hodgson, and who were abandoned by the latter at *Bluefields* when he fled upon

² The King of the Mosquito Indians.

treason being discovered. The natives added that O'Neill arranged for sending an armed schooner to seize and carry off the negroes; but these latter undertook to defend themselves. Hearing this I asked them how they had come by this news, and they responded that it had been communicated to them by the crew of an English sloop which was at the island selling a cargo and proceeded thence to *Bluefields* to sell crockery ware at that place. They pointed it out to me and we recognised it, *Salcedo*, Envite and myself, there being no doubt that it was built in England. With this evidence it seemed to be desirable to avoid an armed conflict and so I gave to the Indians a letter in which I gave notice to any captain of a Spanish vessel who should arrive at the port that he should not, on any account, carry off the negroes without the express order of the Captain General of *Guatemala*. I informed Don José Domás, who was there at the time, and he approved my disposition, being much surprised at the action of O'Neill. Afterwards the schooner sent by the latter arrived, the Indians went to it and they gave to the Captain my letter upon the point of a lance. They returned to land and waited armed. Seeing this, those in the schooner went back again to the Island of *San Andrés* and O'Neill had the audacity to make a claim for those negroes to the present President Don Antonio González, assuming that the heirs of Hodgson had sold them to residents of the island.

I am not familiar with the laws and consequently do not know whether all these facts amount to a full proof that Don Tomas O'Neill is a trader and smuggler; but am personally thoroughly convinced that he is guilty of both these offences, and relying upon this strong conviction as soon as it comes to my notice that he has sent the first colonists to the *Coast of Mosquitos* and that he is making trips to the establishments he locates there, I shall expect as a matter of course that there will be clandestine introductions of goods which will cause serious trouble for the Government of *Guatemala*.

Lastly, as a person acquainted with the country, I am fully satisfied of what I have stated in the first part of this document, and being a witness of what I have stated as to the conduct of O'Neill I am equally so as to what I have said in the second.

If I am mistaken it is through insuperable ignorance and a defect in reason. With this view I should feel that I had failed in my duty if I did not inform Your Excellency of all that I have referred to, so that it may be brought to the knowledge of the Sovereign if it should be deemed desirable; and I hope that His Majesty and Your Excellency will esteem my efforts to be the result of the most ardent zeal for the good of the Royal service and of the State.

May God guard Your Excellency many years.

Guatemala, May 29, 1804.

ROQUE ABARCA.

Most Excellent Sir:

To His Excellency the Secretary of State and the Universal Department of War.

Doc. 195 Official Letter of the Captain-General of Guatemala, to the Secretary at War, Concerning the Annexation of Part of the Mosquito Coast to the New Kingdom of Granada.

GUATEMALA, June 3, 1804.¹

MOST EXCELLENT SIR:

In the accompanying representation laid before me by the Sub-Inspector of the troops, Brigadier Don Roque Abarca, that chief makes some observations on the plan of the Governor of the Island of *St. Andrew*, Captain Don Tomás O'Neill, to separate from this Captaincy-General, and incorporate with the Viceroyalty of *Santa Fé*, that small island, with those adjacent to it, and a part of the *Mosquito Coast*, in the manner approved of by His Majesty in the Royal Order of the 20th of November last, according to the opinion of the Committee of Fortifications and Defence of the Indies.

To give proper effect to this representation, I have examined several documents relative to the said Island of *St. Andrew* existing in my office. I have found among these the description drawn up in 1793, by royal command by Don José del Río,

¹ British and Foreign State Papers—1849-1850. Vol. xxxviii. London, 1862.—Archives of the Indies. Audiencia of Guatemala. Duplicates of the Governors Presidents. Years 1803 to 1804.

Lieutenant in the Royal Navy, of which it seems to me proper to inclose to you a copy, numbered 1.

Having examined attentively this description, or dissertation, as its author calls it, I find it quite conformable to the information which I had previously obtained from various sources respecting said islands, and with the opinion which, in the course of my command, I have formed from the official correspondence of their Governor, Don Tomás O'Neill, which has been frequent, and never with a delay in transit of more than a month or two.

What Del Río says in his "General Reflections," on back of page 10, appears to me especially true, in as far as he endeavours to show that the colonists established in *St. Andrew* and *Providencia* can have no other views than those of contraband with the English of *Jamaica*; and that instead of continuing them in those islands, where it is impossible to form national colonies on a solid footing, it would be better to remove them to the continent.

This opinion was approved by His Majesty, in accordance with the views of the Council of State, and it was resolved by the Royal Order of November 6, 1795, "that for the present the inhabitants of *St. Andrew* should not be obliged to evacuate the island and settle at *Bluefields*, but that they should be moved and induced to do so opportunely, and by fair means, under the superintendence of the Governor, and his responsibility for their conveyance."

The Fiscal, Don Miguel Bataller, and the Committee of War that existed in this capital about the year 1797, were of the same opinion. With respect to the locality and productions of the islands, it is shown by the report, that the sole object which induced the inhabitants to be vassals of His Majesty was the facility of smuggling; and the war being at an end it would be proper to remove them to *Truxillo*. With this in view the refusal of the military means of defence requested by Governor O'Neill, was not strange, and his removal for the time from the island, since it was thought that the English had no intention of taking the island; owing to the illicit traffic which it served them, as an entrepot, to carry on with the *Tierra Firme*.

On one occasion O'Neill requested me to inform him if his islanders might carry their produce for sale to friendly and neutral

foreign colonies, stating that they did so before the last war.

I replied to him on the 7th of August, 1802, that without a Royal order this could not be permitted, and that they could trade with the Spanish possessions alone; and I charged him very strictly on this point. Nevertheless the general belief is that they did trade with *Jamaica*. This would be of little consequence, were the contraband confined to their own consumption; but it is commonly believed that they extend it to this kingdom and to that of *New Granada*.

At the beginning of the last year I received information of the fraudulent introduction of merchandise by the *River San Juan* in very considerable quantities; that the warehouse or depot was in the Island of *St. Andrew*, and giving very minute details of the persons and the circumstances. For the most part this information proved true, and gave occasion for the very active measures which I took, as I have already reported, secretly through the Treasury, with accompanying proofs. The cause which has become complicated by aggravating circumstances, is still pending. The facts, as far as they concern the said island and its Governor O'Neill, have not been proved nor was it easy to do so. The Sub-Inspector Abarca knows that officer personally, and obtained various intelligence in his voyages along the coast and the establishments of the *Mosquitos*. I will merely add, that the separation of the territory as resolved by His Majesty, will be a great relief to me and to my successors in this Captaincy-General. My object in making this statement is none other than the public good; and, confident in the integrity of my intentions, I lay the whole before your Excellency, that you may be pleased to use it as you may judge proper.

ANTONIO GONZÁLEZ.

To the Minister of War.

Royal Orders of November 20 and December 13, 1805, Doc. 196
 Concerning the Maintenance of the Coast of Mosquitos
 and Response of the Viceroy of New Spain to That of
 November 28, 1804.

SAN LORENZO, November 20, 1805.¹

THE SECRETARY OF WAR TO THE SECRETARY OF THE TREASURY.
 MOST EXCELLENT SIR:

By order of the King I forward to you the accompanying letters of the Captain General of *Guatemala*, Nos. 542 and 630, in which he discusses the urgent necessity of sending funds for the establishments of *Mosquitos* and the measures that can be adopted for facilitating the deliveries, avoiding the delay and risks that are occasioned by sending it by way of *Havana*, so that, having been considered by the Ministry under the charge of Y. E., it may be determined by H. M. according to his sovereign pleasure; of which I hope that you will be good enough to advise me in order to reply to the said Captain General.

God keep your Excellency many years.

San Lorenzo, November 20, 1805.

JOSEF CABALLERO.

Señor D. Miguel Cayetano Soler.

The Secretary of the Treasury to the Secretary of War.

December 13, 1805.

MOST EXCELLENT SIR:

On the 20th of November last Your Excellency forwarded to me two statements of the President of *Guatemala*, Don Antonio González, dated November 3, 1804, and May 3, of the present year, relating to the early remittance of the deposit of 100,000 pesos designed for the establishments of the *Coast of Mosquitos*, and that permission be given to draw for this amount from that capital upon that of *Mexico*.

Having considered these letters I must state to Your Excellency that on November 20 of the year before I advised Your

¹ General Archives of the Indies. Shelf 102. Compartment 3. Bundle 28. Peralta—*C. R. y Costa de Mosquitos*, p. 467.

Excellency that, after having consulted with the Board of Fortifications and Defense of the Dominions of the Indies, the King had resolved that from the collection offices of *Mexico* there should be sent directly to the Kingdom of *Guatemala* 100,000 pesos annually, instead of the 200,000 which were sent before to *Havana* for the establishments of the *Coast of Mosquitos*.

In pursuance thereof I issued the corresponding Royal Order to the Viceroy of *New Spain*, who replied by letter of July 1 last, that he would at once provide for the liquidation of what was due for said deposit and advise the President in order that he might draw the amount and for the successive remittances.

I advise Y. E. of this for your information, adding that on this date I should notify President González that H. M. has been pleased to approve the means of receiving from the merchants of *Guatemala* the 100,000 pesos and they drawing against *Mexico*, leaving to your prudence and zeal the use of some other mode if the drafts are not available.

God guard Y. E. many years.

San Lorenzo, December 13, 1805.

Señor D. José Caballero.

THE SECRETARY OF THE TREASURY TO THE CAPTAIN-GENERAL OF
GUATEMALA.

December 13, 1805.

Señor D. José Caballero has forwarded to ~~me~~ two statements of Y. E., under date of November 3, 1804, and May 3, last, relative to the prompt remittance of the deposit of 100,000 pesos designed for the establishments of the *Coasts of Mosquitos* and that you be permitted to draw drafts from your capital upon that of *Mexico*.

Upon its consideration I must advise you that in the Royal Order of November 28, of the year previous, the Viceroy of *New Spain* was directed that he should remit directly to your Kingdom the 100,000 pesos annually, and that chief official replied, in a letter of July 1, last, that he would at once provide for the liquidation of what was due for said deposit and advise Y. E. so that you might draw for the amount and that of the successive remittances.

With this in view, H. M. approves the means you suggest for receiving from the merchants of your capital the said 100,000 pesos and their drawing against *Mexico*, leaving to the zeal and prudence of Y. E. the use of such methods as may be best in case of drafts not being available, though it is not supposed that such will be the case. All of which I communicate to you by Royal Order for your information. God keep Y. E. many years.

San Lorenzo, December 13, 1805.

Señor President of Guatemala.

THE VICEROY OF NEW SPAIN TO THE SECRETARY OF THE
TREASURY.

July 1, 1805.

No. 826.

MOST EXCELLENT SIR:

Before receiving the Royal Order which Y. E. was pleased to forward to me, dated November 28 last, containing notification to send directly from here to *Guatemala* the hundred thousand pesos annually, instead of the two hundred thousand which were remitted by way of *Havana* for the establishments of the *Coasts of Mosquitos*, I had already provisionally determined in the Superior Board of the Royal Finances upon the same resolution and had provided that, upon the liquidation of what should be remitted for the past, I would advise the President of the said Kingdom so that he might draw the amount, and that of the successive remittances, in the proportion of the credit for such draft, avoiding the delays, risks and expenses caused by the actual shipment; of this I advise you for your information and for such use as may be desirable.

God keep you many years.

Mexico, July 1, 1805.

JOSE DE ITURRIGARY.

Most Excellent Sir:

To the Most Excellent Señor, D. Miguel Cayetano Soler.

Doc. 197 **Royal Orders Declaring That the Colony of Trujillo and Other Military Posts of the Coast of Mosquitos Belong Exclusively to the Presidency of Guatemala.**

SAN LORENZO, November 13, 1806.¹

WAR.

MOST EXCELLENT SIR:

To the Captain General of *Guatemala*, I state on this date as follows:

"The King, having been informed by the letters of Your Worship of March 3, 1804 (Nos. 416 and 417), and by the documents which accompanied them, giving an account of the creation of two *Alcaldes ordinarios* and a *Síndico procurador* (Attorney General) in the Colony of *Trujillo*, and of the question raised by the Colonel, Don Ramón Anguiano, Governor Intendant of *Comayagua*, claiming to exercise the powers of Intendant, under the Ordinance of *New Spain*, in the settlements of the *Coast of Mosquitos* and to be the only chief of them, with entire independence in the four matters of justice, police, finance and war, which have been exercised by the Presidents of *Guatemala* in the New Colonies, H. M. has resolved that Your Worship is the one who must have sole charge and the absolute cognizance of all the affairs that arise in the Colony of *Trujillo* and other military posts of the *Coast of Mosquitos*, relating to the four matters referred to, in compliance with the Royal Orders issued since the year 1782, which authorized you to occupy, defend and settle that coast, until that object, being in whole or in part secured, H. M. may deem it suitable to change the present system; and therefore Your Worship proceeded properly and in the use of your powers in the selection of the *Alcaldes* and *Síndico*, without being prevented by those which the Intendant arrogates to himself, founded on the ordinance covering those employees, because beside being general in character and not adapted to a single commission, it has not been observed in the places on said coast since it was issued in the year 1786, and communicated

¹ Archives of the Indies. Shelf 101. Compartment 4. Bundle 4. Peralta, *ubi supra*, p. 496.

to *Guatemala* thereafter for its fulfillment in so far as it was suitable."

By Royal Order I refer it to Your Excellency, pursuant to what you stated to me on the 12th of last month and to the end that, the Department in your charge, directions may be given for its fulfillment.

God keep Your Excellency many years.

San Lorenzo, November 13, 1806.

JOSÉ CABALLERO.

To the Secretary of the Department of *Gracia y Justicia*.

TO THE SECRETARY OF THE TREASURY.¹

WAR.

November 13, 1806.

MOST EXCELLENT SIR:

To the Captain General of *Guatemala*, on this date, I state the following:

(Here follows the document above quoted.)

By Royal Order I refer to Your Excellency, pursuant to what was stated to me on August 20 of this year, so that the Department in your charge may issue the directions for its fulfillment.

God keep Your Excellency many years.

San Lorenzo, November 13, 1806.

JOSÉ CABALLERO.

To Don Miguel Cayetano Soler.

THE SECRETARY OF THE TREASURY TO THE PRESIDENT OF
GUATEMALA.

November 13, 1806.

In a document of this date, Señor Don José Caballero states to me the following:

(Here follows the document above quoted.)

Which Royal determination I refer to you, by Order of H. M., for your understanding and fulfillment, for which purpose you

¹Archives of the Indies. Shelf 102. Compartment 4. Bundle 11.

will bring it to the knowledge of the Governor Intendant of *Camayagua*, D. Ramón Anguiano.

God keep Your Worship many years.

San Lorenzo, November 13, 1806.

To the President of *Guatemala*.

THE SECRETARY OF GRACIA Y JUSTICIA TO THE GOVERNOR OF THE
COUNCIL OF THE INDIES.

November 18, 1806.

MOST EXCELLENT SIR:

In a document of the 13th of this month the Secretary *ad interim* of the Department of War states to me that under the same date he has communicated to the President and Captain General of *Guatemala* the Royal Resolution following:

(Here follows the document above quoted.)

Of which you are notified in order that the Council being informed of this sovereign declaration it may contribute toward its observance in the cases that may arise, with the information that on this date I communicate it to the Royal Audiencia of *Guatemala* for the same purpose. God, etc.

San Lorenzo, November 18, 1806.

To the Governor of the Council of the Indies.

FROM THE SECRETARY OF GRACIA Y JUSTICIA TO THE AUDIENCIA
OF GUATEMALA.

November 18, 1806.

In a document of the 13th of this month the Secretary *ad interim* of the Department of War tells me that on the same date he communicated to the President and Captain General of your Kingdom the Royal Resolution following:

(Here follows the document above quoted.)

Of which I advise Your Worship, in order that your tribunal, being advised of this sovereign declaration, may contribute to its observance in the cases that arise. God, etc.

San Lorenzo, November 18, 1806.

To the President and Judges of the Royal Audiencia of *Guatemala*.

Royal Order Concerning Navigation and Commerce on the River San Juan de Nicaragua, (and the Exemption From Duties for a Period of Ten Years Upon the Products Raised on an Area Ten Leagues Broad on Either Bank of That River.) Doc. 198

MADRID, March 31, 1808.¹

The King has been advised of what Your Worship stated in your letter of January 3, 1805, No. 609, and that of June 18, of the same year, No. 652, accompanying the statement in regard to navigation and commerce on the *River San Juan de Nicaragua*, Your Worship proposing that its opening be continued, and that to encourage the clearing and cultivation of the immediate lands there be granted to its inhabitants the same favors which by Royal Order of November 20, 1803, were conceded to the new settlers of the *Coast of Mosquitos*, exempting also from duties and tenths for ten years the products harvested within a distance of ten leagues of the river on either of its banks.

The King being advised in great detail of what will result from this despatch, has been pleased to approve the means which Your Worship proposes and has also resolved that efforts shall be made to secure a settlement of not exceeding three hundred residents in the neighborhood of said river of *Nicaragua*.

Lastly, His Majesty has resolved that the Superior Board of the Royal Finances examine into the proposition made by Your Worship that in the minor ports of that Kingdom the impost of *alcabala* be collected on foreign articles which are brought in and that Your Worship report, with evidence in support thereof, in order that after due examination the proper determination may be made.

All of which I inform you by Royal Order for your information and its fulfillment. May God keep you many years.

Madrid, March 31, 1808.

AZANZA.

To the President of *Guatemala*.

¹ Archives of the Indies. Shelf 101. Compartment 3. Bundle 6. *Peralta, ubi supra*, p. 505.

Doc. 199 The Governor of Costa Rica to the Captain General of Guatemala Concerning the Claims of the Governor of San Andrés to Extend His Jurisdiction Over Matina.

CARTAGO, September 20, 1809.¹

MOST ILLUSTRIOUS SIR:

The Governor of the Island of *San Andrés*, in a personal letter of the 24th ultimo, tells me among other things what is set forth in the enclosed copy.

If the command of the Coast from Cape *Gracias á Dios*, inclusive, to the *River Chagres*, exclusive, should really belong to that Government, Your Worship will at once see that the Governor there, not being subject to this Captaincy General, would extend his jurisdiction to it: questions of rivalries would arise between the Governments of this Kingdom which embrace the shores of the two Oceans since time immemorial, and the detachment of *Matina* and those who live there would depend upon that Governor; to him would belong the charge and care of the political and military departments, and of shipwrecks upon the coast, and in case (as it has happened) that a capitulation is made with an enemy as to the extent of his command, they would enter the coasts of this Kingdom and by virtue of the capitulation could establish themselves thereon; the orders of the Governor of *San Andrés*, given by himself or by the Viceroy of *Santa Fé* (to whom Don Tomás O'Neill is subordinate) if they did not coincide with those of Your Worship, would be very prejudicial, even in a time of the most profound peace.

In this Government the Royal Orders of 1803 and 1807 which O'Neill cites do not exist; wherefore, and perhaps because he has not given to them the proper understanding, I will continue without change in the command of this province and its coasts, until Your Worship may otherwise provide or consult H. M. in order to avoid disputes. And as I deem this matter of importance for your Captaincy General and this Government, it has

¹ National Archives of Costa Rica. Historical Section. Formerly in the Archives of the Department of Foreign Affairs. Peralta—*Lím. de C. R. y Col.*, p. 208.

seemed to me proper to communicate it to Your Worship so that it may please you to tell me what to do.

May God, etc.

Cartago, September 20, 1809.

TOMÁS DE ACOSTA.

To the Most Illustrious President, Don Antonio González Saravia.

From the Governor of Costa Rica to the Captain General of Guatemala, Stating That He Will Let the Governor of San Andrés Know That the Command of the Latter Does not Extend to the Coast of Matina. Doc. 200

CARTAGO, December 1, 1809.¹

Most Illustrios Sir:

I will forward to the Governor of *San Andrés* a copy of Your Worship's official communication of the 7th ultimo, in order that he may be undeceived as to the command he thinks he has over the coast of *Matina* and that rivalries be thus avoided.

May God, &c.

Cartago, December 1, 1809.

THOMÁS DE ACOSTA.

To the Most Illustrious President, Don Antonio González Saravia.

From the Governor of Costa Rica to the Governor of San Andrés. Doc. 201

CARTAGO, December 5, 1809.¹

Being always desirous of avoiding mistakes and preventing rivalries and difficulties, I consulted the Captain General of this Kingdom as to what you told me in your personal letter of the 24th of August last, concerning the extension of your Government to the coasts of this Captaincy General, *from Cape Gracias á Dios to Chagres*, and in reply to my question I am told what you will find in the copy annexed; the contents of this I cannot dis-

¹ *Ubi supra*. Peralta, *ubi supra*, p. 210.

¹ *Ubi supra*.

regard, either as regards the command, or in respect to the duties upon everything not products grown in our respective territories.

May God guard Your Honor.

THOMÁS DE ACOSTA.

To the Governor of the Island of *San Andrés*.

Upon the margin of this document is found the following memorandum:

"Let copy be sent of the official communication of the Señor President, which declares that the command of San Andrés does not reach to these coasts."

Doc. 202 From the Governor of Costa Rica to the Captain General of Guatemala.

CARTAGO, May 28, 1810.¹

No. 1378.

Most Illustrious Sir:

I will carry out the private communication of Your Worship as its importance deserves, having before me the general order which Your Worship issued on the 22nd of last April, and I will repeat to the Judge and Commandant of *Matina* the injunction that no foreigner or suspicious Spaniard shall be allowed to come in by that coast.

May God, &c.

Cartago, May 28, 1810.

THOMÁS DE ACOSTA.

To the Most Illustrious President, Don Antonio González Saravia.

¹ National Archives of Costa Rica. Historical Section. Peralta—*Lím. de C. R. y Col.*, p. 211.

From the Governor of Costa Rica to the Captain General of Guatemala Concerning the Sedition in Cartagena of the Indies, and the Stoppage of All Communication Between Costa Rica and That Station. Doc. 203

CARTAGO, September 29, 1810.¹

No. 1420.

Most Excellent Sir:

Being advised of the contents of the official communication of Your Excellency, regarding the seditious occurrences at *Cartagena of the Indies* and the documents of that character which have been produced there, not only will all trade and intercourse between this province and that place be prohibited, but I will communicate the said official document to the Noble Municipal Council here and to others who should be advised thereof, so that all may be cognizant of the positive measures of Your Excellency, taken to prevent the spread of the contagion of disloyalty which is threatening and that each one may fulfill his duty, for which purpose I will also cause the said official document to be published.

May God, &c.

Cartago, September 29, 1810.

THOMÁS DE ACOSTA.

To the Most Excellent Don Antonio González Saravia.

On the margin is written:

"Let all intercourse be prohibited with the residents of Cartagena, for disloyalty to the Royal Crown."

DECREE CVIII.

Opening of the Port of Matina. in America.

Doc. 204

DECEMBER 1, 1811.¹

The General and Special Cortes, desiring the welfare of the Spaniards of all the countries of the Monarchy in the two hemispheres—

¹ *Ubi supra.*

¹ Collection of Decrees and Orders of the General and Special Cortes, Vol. II, p. 54.

DECREES:

The port of *Matina*, in the North of *Costa Rica*, is opened and there is granted to the inhabitants thereof, for the period of ten years, exemption from duties upon the fruits and products of their country which they export from the said port.

The Council of the Regency will take knowledge of it for its execution and will cause it to be printed, published and despatched.

Done at Cádiz, December 1, 1811.

JOSEPH, *Bishop of León, President.*

JOSÉ MARÍA CALATRAVA, *Deputy Secretary.*

To the Council of the Regency.

Registered at folio 166.

Doc. 205 POLITICAL CONSTITUTION OF THE SPANISH MONARCHY.

Promulgated at Cádiz, March 19, 1812.¹

OF THE TERRITORY OF SPAIN.

ART. 10. The Spanish Territory embraces in the Peninsula, with the possessions and adjacent islands, Aragón, Asturias, Castilla la Vieja, Castilla la Nueva, Cataluña, Córdoba, Extremadura, Galicia, Granada, Jaén, León, Molina, Murcia, Navarra, the Vascongadas provinces, Sevilla and Valencia, the Balearic Islands, the Canary Islands, with the other African possessions.

In Northern America, *New Spain* with *New Galicia* and the peninsula of *Yucatán*, GUATEMALA, Eastern interior provinces, Western interior provinces, the Island of *Cuba* with the two *Floridas*; the Spanish portion of the Island of *Santo Domingo* and the Island of *Puerto Rico* with the islands adjacent to the latter and to the continent, upon both seas.

In Southern America, NEW GRANADA, *Venezuela*, *Peru*, *Chile*, the Provinces of *Río de la Plata* and of the adjacent islands upon the Pacific and upon the Atlantic.

¹ Collection of the Decrees and Orders of the General and Special Cortes; Vol. II, p. 100.

In Asia, the Philippine Islands and those which are dependent thereon as to their government.

ART. II. A more desirable division of the Spanish Territory will be made by a constitutional law as soon as the political circumstances of the nation shall permit it.

OF THE POLITICAL GOVERNMENT OF THE PROVINCES AND THE
PROVINCIAL DEPUTATIONS.

ART. 324. The political government of the provinces shall be exercised by a superior chief, appointed by the King, for each of them.

ART. 325. Each province shall have a deputation called "provincial," presided over by a superior chief, for the purpose of encouraging its progress.

ART. 335. These deputations shall make it their duty—

VII. To take the census and statistics of the provinces.

X. The deputations of the provinces Beyond-Seas are to watch over economy and order and the progress of missions for the conversion of the heathen Indians, in regard to which the commissioners must render an account of their acts so as to avoid abuses; all of which these deputations are to bring to the knowledge of the government.

Statement to the Cortes by Don José Joaquín Ortíz, Representative for Panama. Doc. 206

CADIZ. April 28, 1812.¹

* * * * *

That important Isthmus has, from the pueblo of *Chepo* which borders upon the wild Indians of *Darién*, to the pueblo of *Boquerón*, in the jurisdiction of *Chiriquí* which borders upon the Kingdom of *Guatemala*, a length of 118 leagues, and its width from North to South, varies from 50 to 12 leagues. But in the said Province there are found the principal products and fruits of rich America, and, among them, pearls and the celebrated purple of ancient Lydia which is taken from the two shell-fishes known as *murice* and *bucinum*, and with which is dyed a great

¹ *Diario de Cortes*—Vol. XIII, p. 143.

deal of cotton thread, called "thread of *caracol*" (shell-fish), and used in the Kingdom of *Guatemala* and other places. * * *

DECREE CLXIV.

Doc. 207 Costa Rica and Nicaragua Form an integral Part of the Audiencia of Guatemala, According to the Spanish Cortes. The Establishment of Provincial Deputations or General Councils in Spain and in the Colonies Beyond-Seas.

CADIX, May 23, 1812.¹

The General and Special Cortes, with the purpose of facilitating the execution of Art. 325 of the Constitution, and, after the publication of the latter, the advantageous establishment of Provincial Deputations, decrees:

I. That until the time arrives to make the desirable division of the Spanish Territory indicated in Art. 11, there shall be Provincial Deputations in the Peninsula and adjacent islands, in Aragón, in the Asturias, at Avila, Burgos, Cataluña, Córdoba, Cuenca, Extremadura, Galicia, Granada, Guadalaxara, with Molina, at Jaén, León, Madrid, Mancha, Murcia, Navarra, Palencia, in each of the Basque Provinces, at Salamanca, Segovia, Sevilla, Soria, Toledo, Valencia, Valladolid, Zamora, the Balearic Islands and Canary Islands.

And in the Colonies there shall be others in each one of the provinces especially designated in Art. 10 of the Constitution, and so, for the present, in Southern America, in *Peru* that of *Cuzco*; in *Buenos Ayres* that of *Charcas* and in *New Granada* that of *Quito*; and in Northern America, in *New Spain* that of *San Luis Potosí*, to which should be added *Guanaxuato*; in *GUATEMALA* another which shall be established at *León de Nicaragua*, with the Province of *COSTA RICA*, and in the Island of *Cuba* another at *Santiago de Cuba*.

II. That until there has been an adjustment of the provinces, and as there ought not to be a deputation in every one that elects deputies to the Cortes, when this shall occur the members of the

¹ Collection of Decrees and Orders of the General and Special Cortes; Vol. II, p. 224.—Peralta—*Jurid. Territ.* p. 416.

Provincial Deputation shall be appointed in the capitals of the provinces embraced within the territory of the deputation. If there are seven provinces in the district of the latter, each electoral board of a province shall appoint a member for the deputation in the manner provided by Art. 328 of the Constitution. If the number of the provinces is less than seven, each province shall select one, two, or more, until the requisite number is made up; but if there is still a member lacking the most populous province shall name him; if still a member be lacking he shall be named by the province having the next largest number of inhabitants, and so on, successively. But if the number of provinces is more than seven, the most populous shall select the first time; in the second period of two years the provinces which have not previously selected shall participate in the election, and likewise, in order to complete the number of members, the most populous provinces; and they thus alternate successively. It is well understood that this regulation is not to govern in case of provinces where the number of inhabitants shall exceed by at least one-half those of a less populous province; the former will always participate in elections.

III. All the cantons of which the province is made up shall alternate in the elections of members of the Provincial Deputation; but there shall always be in the deputation one member from the capital or its canton.

The Regency of the Kingdom shall take cognizance of this in order that it may be carried out and shall cause it to be printed, published and circulated.

Delivered at Cádiz, the twenty-third of May, 1812.

JOSÉ MARÍA GUTIÉRREZ, *President.*

JOSEF DE ZORRAQUÍN, *Deputy Secretary.*

JOAQUIN DÍAZ CANEJA, *Deputy Secretary.*

To the Regency of the Kingdom.

Registered fol. 248, *et seq.*

Doc. 208 The Governor of Costa Rica to the President of Guatemala concerning the Royal Decree Opening the Port of Matina.

CARTAGO, July 1, 1812.¹

MOST EXCELLENT SIR:

With the official communication of Your Worship of the 25th of May last I received the Royal Decree of December 1st ultimo, which was included therein, by which His Majesty was pleased to open the Port of *Matina* in this province, conceding to its inhabitants the favor for ten years of freedom from duties upon the fruits and productions of the country which are exported through that port; of this sovereign disposition I take due note for the fulfillment thereof and I will communicate it to whomsoever should know it.

May God guard Your Worship many years.

JUAN DE DIOS DE AYALA.

To the Most Excellent President, Governor and Captain General, Don José de Bustamente.

Doc. 209 From the Governor of Costa Rica to the Captain General of Guatemala.

CARTAGO, Sept. 2, 1812.¹

MOST EXCELLENT SIR:

In fulfillment of my promise to Your Excellency in the official communication of the 3rd ult., I bring to the notice of Your Excellency the arrival of the schooner "San Miguel," on account of stress of weather, at the Port of *Matina*, which schooner sailed

¹ National Archives of Costa Rica. Historical Section. Formerly in the Archives of the Department of Foreign Affairs. Peralta, *ubi supra*, p. 213.

¹ *Ubi supra*. Peralta, p. 212.

from *Kingston, Jamaica*, bound to *Chagres*, its Captain being Don Francisco Cascante. On account of having met a storm he arrived dismantled and with sails torn, asking for help at that Valley, as I was informed by the Judge at that place, the Priest Don Rafeal Arnesto de Troya, who was Chaplain of my predecessor, Don Thomás de Acosta, having come ashore, and his followers, Don Juan Francisco de Valenzuela and Don Miguel Ramírez, all residents here where they are found. Francisco Anglez, one of its crew, also landed; he was a native of the island of León, who died a few days after his arrival, intestate, and with no other property than the garments he had on. As to various articles which said Valenzuela and Ramírez brought in, the measures have been taken set forth in the evidence sent to Your Excellency herewith, in official communication No. 1504, and the same has been legally proved.

Cartago, September 2, 1812.

JUAN DE DIOS DE AYALA.

To the Most Excellent Governor and Captain General, Don José de Bustamante.

DECREE CCI.

Doc. 210 Regulations for the Audiencias and Tribunals of First Instance (Primary Courts).

OCTOBER 9, 1812.¹

The General and Special Cortes, desiring to carry out the provisions of Art. 271 and Art. 273 of the Constitution, and that henceforth the Audiencias and the magistrates of First Instance (lower or primary magistrates) may administer justice in all the provinces of the Monarchy, in accordance with the Constitution, have decreed and they do now decree, as follows:

CHAPTER I.

Of the Audiencias.

ART. I. For the present, and until the division of the Spanish Territory shall be made as contemplated in Art. II of the Constitution, there shall be an Audiencia in each of the provinces of the Monarchy in which the same has been established down to the present day; that is to say, Aragón, Asturias, Canaries, Cataluña, Extremadura, Galicia, Mallorca, Sevilla, Valencia; and in the Colonies, *Buenos Ayres, Caracas, Charcas, Chile, Cuzco, Guadalupe, GUATEMALA*, the Island of *Cuba, Lima, Manila, Mexico, Quito* and *Santa Fé*.

II. The territory of these Audiencias for the present shall be the same as they have had and the seat thereof shall be the same; but if, by reason of circumstances growing out of the war, some may have located their seat in some other place more suitable, they may continue there, with the approval of the Regency, and sit there temporarily.

* * * * *

ART. VII. Each of the Audiencias of Asturias, *Buenos Ayres*, the Canaries, *Caracas, Charcas, Chile, Cuba, Cuzco, GUATEMALA, Guadalupe, Mallorca, Manila, Quito, Saltillo* and *Santa Fé*, shall

¹ Collection of Decrees and Orders of the General and Special Cortes; Vol. III, p. 106.—Peralta—*Jurid. Territ.* p. 419.

be composed of: one Regent, nine magistrates and two attorneys-general. There shall be a court of four magistrates of Second Instance, to hear civil and criminal matters and another of five magistrates to decide those of Third Instance.

* * * * *

The Regency of the Kingdom will take cognizance hereof, will give the necessary orders for its execution and shall cause it to be printed, published and circulated.

Delivered at Cádiz, the ninth of October, 1812.

FRANCISCO MORROS, *Vice President*.

JUAN BERNARDO O'GAVAN, *Deputy Secretary*.

JUAN QUINTANO, *Deputy Secretary*.

To the Regency of the Kingdom.

Registered, book 2, fol. 70, p. 87.

Memorial Upon the Province of Costa Rica, Presented to the Cortes by its President, Don Florencio del Castillo. Doc. 211

ISLAND OF LEÓN, May 31, 1813.¹

The following statement by the President was read:²

"SEÑOR: In the Committee on Affairs Beyond the Seas there is a memorial from the Noble Municipal Council of the city of *Cartago*, capital of *Costa Rica*, which asks for the separation of the said province from the Bishopric of *León de Nicaragua*, to which it is now added, to the end that a separate diocese being created in *Costa Rica* there shall be erected and established an Episcopal See in the aforesaid city of *Cartago*. The justice of this petition, and even the indispensable necessity of granting it, will be manifest to Y. M. if your sovereign attention is fixed for a moment upon the serious reasons by which the Council is supported and which I, as the representative of the said province, will attempt to apply. The zeal with which Y. M., in the midst of an infinity of matters which occupy your attention, has sought

¹ Record of the General and Special Cortes. Session of May 31, 1813. Peralta—*Lím. de C. R. y Col.*, p. 214.

² There presided in the Cortes, Don Florencio del Castillo, deputy for Costa Rica, author of this statement and of that of July 12, 1814, on the same subject, presented to the King, Don Fernando VII.

to secure the welfare of the Spanish Church, is an example for me in seeking to obtain the welfare and spiritual happiness of my province. I will not trouble Y. M. by referring to the special circumstances that particularly recommend *Costa Rica*; neither will I allege, in order to secure your favor, the patriotism and the adhesion to the right cause which it has constantly shown during this whole revolutionary period; but I will content myself with indicating the reasons which show the justice of this petition.

The extent of the territory of *Costa Rica*, its population and the long distance that separates its capital from that of *León de Nicaragua*, leave no doubt that a Bishopric should be established in that province, in order that the congregation of the faithful therein may be governed and cared for in spiritual matters as they should be.

Costa Rica has for the boundaries of its territory the River Chiriquí, which separates it from the Province of Panama, and the River Salto, which divides it from that of Nicaragua, between which two provinces it is located. It has for its boundaries on the North and the South the Atlantic Ocean and the Pacific Ocean. From one of the rivers that are designated to the other, it is more than 150 leagues, by very rough roads and almost impassible on account of the multitude of mountains and the large rivers that must be crossed. The distance from one sea to the other is not uniform, but the average is about 70 leagues.

Therefore, while it is not possible to calculate exactly the area of the territory of *Costa Rica*, for lack of a topographical chart, Y. M. may be assured, without exaggeration that it comprises more than 7,000 square leagues; an area amply sufficient to establish not one but many Bishoprics, if it were populous in proportion.

There are now in it 22 settlements: 12 of them are of Indians, and the rest are of white and colored Spaniards, beside a multitude of small isolated farms, plantations and dwellings distant from the said settlements. These are found scattered in various places in the province, so that there are villages which are separated by a distance of 150 leagues.

The number of the inhabitants is from 60,000 to 70,000, according to the report sent to me by the said Council, which I forward in support of this and other data that I refer to, and also another

by the Brigadier Don Tomás Acosta, ex-Governor of that province, whose report is in the Ministry of the Treasury.

Beside this population, there are within its territory three tribes of wild Indians who inhabit the mountains and coasts of the North, who are known under the names of the *Talamanca* Indians, the *Northern* Indians and the *Mosquito* Indians, all three very numerous. For these reasons, *Costa Rica* was always considered and held since its discovery as a province separate and independent from the others; governed in political and military affairs by a chief with the title of Governor and *Commandante de las Armas*, who recognized no other dependency than upon the Audiencia and Captaincy General of *Guatemala*; so that it is only in ecclesiastical matters that it has been added to the diocese of *Nicaragua*.

From what has been stated, Y. M. may infer the supreme need there is of providing that province with a pastor who may watch over a numerous congregation and one which is scattered over a vast territory, in order that he may visit his peoples with the frequency that the canons prescribe. This need is even more manifest if attention is given to the long distance that intervenes between the said province and the city of *León de Nicaragua*, the place where the Bishop has his residence, 210 leagues, by roads that are very rugged and almost impassible in the season of the rains, separate the city of *Cartago*, capital of *Costa Rica*, from the said city of *León*; and in view of this, is it credible that the Rev. Bishops of that diocese can fulfill their duty, personally covering their ministerial pastorate and visiting their Bishopric every three years?

It is also to be noted that the Province of *Nicaragua* is as extensive as that of *Costa Rica*, and is much more thickly settled than the latter, so that the Bishops who have visited it have been very few; only once during the whole of their pontifical period have all the places included in the Province of *Nicaragua* been visited. *Costa Rica* has suffered still more. Your Majesty will be scandalized to hear that it is more than thirty-three years since any Bishop has set foot therein; but, Señor, it is a fact. During the whole of that long time those lambs have been deprived of the consolation of seeing and knowing their shepherd. And how many evils have come from this abandonment? Not the least

is that all those who have been born in these last thirty-three years never received the sacrament of confirmation. Is there any reason for depriving those Christians of that favor?

These evils are not to be attributed to the lack of zeal in the Prelates who have been had during the last thirty-three years, because besides the difficulties which have been indicated in the way of making visits in such a scattered diocese, those promoted to that See have generally been old men, consequently in ill health, so that they could not undertake such long journeys and over dangerous roads. Nor can it be expected that any one, however zealous, robust or active he may be, can hereafter carry out his duty faithfully while the trouble is not cured at its root; that is to say, while this vast Bishopric remains undivided. Nor is it deemed possible to avoid these difficulties by adding *Costa Rica* to *Panama*, which is the bordering province, because the distance between these two provinces is greater than it is between *Nicaragua* and *Costa Rica*, and besides the roads are more deserted and more impassible. There remains, then, no other recourse, if it is not desired that these serious evils are to continue, than the separation and erection of a Bishopric in *Costa Rica*.

By this measure there will surely come much good and it will fill that religious province with consolation and rejoicing; and one of the least of its benefits will be the influence of the Prelate which will facilitate the conversion of the heathen Indians who dwell in those mountains. Neither will there follow any difficulties; because it is not believed that by the creation of this new Bishopric the settlements will be burdened with new taxes, nor will the Public Treasury suffer any loss. The tenths paid by that province alone will be sufficient to provide for the Bishop, and in a country where there is no luxury and where the necessities of life are very cheap, there will be a surplus to found and endow a Conciliar Seminary where good ecclesiastics may be educated and where teaching may be given to the youth, which has so little in that country, so isolated as it is from the other provinces. For all these considerations, the two following propositions are made to Your Majesty:

First: That sending this statement to the Committee of Affairs Beyond the Seas, where its antecedents are, it may be charged to despatch as quickly as possible the direction relating to the

division and establishment of the Bishopric of *Costa Rica*, advising whether the Episcopal See ought to be established in the city of *Cartago*.

Second: That following upon this, it should report concerning the necessity of establishing in said city a Conciliar Seminary.

These propositions and the statement were directed to be forwarded to the Government, in order that with its report there be sent (as suggested by Señor Larrazábal) what was said about that province by its *Comandante*, the Brigadier D. Tomás Acosta, whose report is in the Ministry of the Treasury.

The Governor of Costa Rica to the President of Guatemala.

Doc. 212

CARTAGO, August 5, 1813.¹

MOST EXCELLENT SIR:

By the Official communication of Your Worship of the 3rd ultimo I was advised, so that it might be executed, of what Your Worship had on the same date addressed to the Most Excellent Viceroy of *Santa Fé* in regard to prohibiting the trade in cotton goods which is carried on by that province with this one;² which superior order I have turned over to the Collector of imposts in this district; for its due observance and prompt execution; and for the same purpose I have ordered it to be publicly proclaimed for the information of all the inhabitants.

May God guard Your Worship many years.

Cartago, August 5, 1813.

JUAN DE DIOS DE AYALA.

To the Most Illustrious Governor and Captain General, Don José de Bustamente.

¹ National Archives of Costa Rica. Historical Section. Peralta, *ubi supra*, p. 221.

² The trade between the Viceroyalty of Santa Fé and Costa Rica was carried on through *Matina*.

Doc. 213 From the Governor of Costa Rica to the President of Guatemala.

CARTAGO, October 5, 1813.¹

MOST ILLUSTRIOUS SIR:

There are annexed the statement and the certificate for the payment thereof, of 295 pesos 4 reales, which the *Urbanos pardos* (colored city guard) detached in the Valley of *Matina* have been allowed in the months of July, August and September as a patriotic donation to assist the Mother Country in the present war, that is to say, that eighteen individuals maintain nine soldiers in the Peninsula. I trust that Your Worship will be pleased to send to me an acknowledgement of its receipt.

May God guard Your Worship many years.

Cartago, October 5, 1813.

JUAN DE DIOS DE AYALA.

To the Most Illustrious Governor and Captain General, Don José de Bustamente.

Doc. 214 The Political Chief of Nicaragua and Costa Rica to the Minister of Ultramar (Beyond the Seas) Concerning the Creation of Subordinate Chiefs in Granada, Cartago, and New Segovia.

LEÓN, April 27, 1814.¹

No. 7.

MOST EXCELLENT SIR:

In accordance with that Your Excellency notified me by order of the Regency of the Kingdom, under date of August 4, in pursuance of Art. 3, Chap. 3, of the Instruction of June 23rd last, this Provincial Deputation, after having made the provisional division of districts, has decided, in the document of which a copy is annexed, that it is desirable to locate for the present two subaltern political chiefs, as follows:

One in *Granada*, where the vessels which arrive at the port of the River *San Juan* unload, the clearing out of which river and

¹ *Ubi supra*. Peralta, *ubi supra*, p. 222.

¹ General Archives of the Indies: Shelf 100. Compartment 6. Bundle 1.

the establishment of a settlement of three hundred inhabitants upon one of its banks is to be under his charge;² and another in *Cartago*, capital of the Province of *Costa Rica*, on account of its extent and population of more than 38,000 souls, and because upon its coasts it has the ports of *Punta de Arenas* on the South and *Matina* on the North.

And that in case His Highness³ grants what was requested in the statement which I addressed to Your Excellency (official No. 5, of March 24th), it will be necessary to have another in *New Segovia*, the headquarters of its district, to look after the administration and development of the work of the mines, and the cultivation and improvement or preparation of tobacco, two things which will greatly augment the receipts of the public treasury and which will afford to the laborers of the port continuous occupation, so that they may support themselves and not remain in idleness.

The deputation has estimated as a sufficient salary for each chief the annual salary of 1,200 pesos, which ought to be paid out of the excise taxes proposed in said statement until their own funds are increased; concerning this I forward to Your Excellency a statement with the official communication of this date, No. 8.

May God guard Your Excellency many years.

León de Nicaragua, April 27, 1814.

To His Excellency Señor Juan Bautista Gual.

To His Excellency Señor Don José de Limonta.

Don Juan Francisco Aguilar, attorney of the territorial Audiencia and member of its illustrious college, Secretary of the Most Excellent Provincial Deputation of *Nicaragua* and *Costa Rica* and alternate Deputy to the Cortes therefor—

Certifies, that in the paper prepared by this Most Excellent Provincial Deputation on the 26th instant in order to advise the Most Serene Council of the Regency as to the places where it was desirable to locate subordinate political chiefs, the allowances to

² Under the authority given by Royal Order of March 31, 1808, in order to colonize within a distance of ten leagues upon either bank of the River San Juan, etc. Peralta—*C. R. y Costa de Mosquitos*, p. 528.

³ The Regency.

be made to them and the funds from whence the same should be paid, it was resolved as follows:

That as regards the localities in which it is desirable there should be a subordinate political chief, let the most Serene Council of the Regency be advised that it is very desirable to locate one in the city of *Granada*, another in that of *Cartago*, the capital of the Province of *Costa Rica*, and another in the district of *Segovia*, if this latter, in leaving the supreme government, has been separated from *Guatemala*; for then the arts and agriculture will develop, whereas up to now they have been decaying under the ruinous system of that capital;

That the allowance for each subordinate political chief shall be 1,200 pesos each year, payable out of the fund created by the duties which are collected as a subvention for war and trade, or from the seven per cent. imposed upon goods brought in through the ports of these provinces if they are foreign, and four per cent. if they are national upon a half per cent. of *avería*, until their own funds increase and the excise taxes of the settlements are where they ought to be;

And that a certified statement be made of this paper to the Most Serene Council of the Regency by the political chief, for the purposes that are needful.

GUAL.
ARECHAVALA.
GALARZA.
AGUERO.
SALAZAR.
CHAMORRO.

Licentiate AGUILAR, *Secretary*.

And in accordance with the command of His Excellency, for the purposes stated, I give this present (certificate) in *León*, the 26th of April, 1814.

The Licentiate JUAN FRANCISCO AGUILAR,
Secretary.

DECREE LXXXIV.

Opening of the Port of Punta de Arenas in the Province of Costa Rica.

Doc. 21

APRIL 29, 1814.¹

The Cortes having been informed that the Province of *Costa Rica* lacks an open port ready for the exportation of its products and through which products may be brought which are needed by it, and desiring to encourage the prosperity of which it is capable—

DECREES:

The port of *Punta de Arenas*, situated at the South of the province above named is opened.

The Regency of the Kingdom will take cognizance of this so that it may be carried out, and it shall be printed, published and circulated.

Done at Madrid, the 29th of April, 1814.

ANTONIO JOAQUÍN PÉREZ, *Vice President.*

TADEO GARATE, *Deputy Secretary.*

TADEO IGNACIO G., *Deputy Secretary.*

To the Regency of the Kingdom.

Statement of Don Florencio del Castillo, Former Deputy for Costa Rica in the Cortes, to the King, Don Fer- nando VII.

Doc. 21

MADRID, July 12, 1814.¹

Don Santos Sánchez, member of the Council of His Majesty and his Chief Secretary in the Council and Chamber of the Indies for the affairs relating to *New Spain*:

Certifies: That by reason of His Majesty's resolution, com-

¹ Collection of the Decrees and orders of the General and Special Cortes; Vol. V, p. 200.—Peralta—*Jurid. Territ.* p. 431.

¹ Archives of the Congress of Deputies, Section of Beyond Seas. Ecclesiastical Affairs. Year 1821. Peralta—*Límites de C. R. y Col.*, p. 222.

municated on June 17 of the present year by the Universal Ministry of the Indies to the former Deputies in the Cortes for those domains (published in the *Gaceta de Madrid* on the 25th of the same month), requiring them to forward, through that same Ministry, the pending petitions or the other petitions that they may have been instructed to present, and also any other matters that they would deem to be useful to their provinces or to America in general, Don Florencio del Castillo, Deputy for the Province of *Costa Rica*, in the Kingdom of *Guatemala*, did so, presenting on July 12, of the present year, a statement relating to several points, the second of which is as follows:

"On May 31, 1813, by command of the Noble Municipal Council of the City of *Cartago*, the capital of the Province of *Costa Rica*, I begged the Extraordinary Cortes that the said province should be segregated from the Bishopric of *León de Nicaragua*, to which it is now aggregated relating to ecclesiastical matters, to the end that a separate Bishopric being erected in *Costa Rica*, the Episcopal See should be established in the city of *Cartago*, its capital. By reason of this I begged also that a Seminary should be founded in the said city so that the Ministers of the Altar might be formed therein and the young men educated.

"*Costa Rica* has, as limits of its territory, the river *Chiriquí*, which separates it from the Province of *Panamá*, and the river *Salto*, which separates it from *Nicaragua*.

"From one of these rivers to the other there are more than 120 leagues by rough roads, almost impassible on account of the great number of mountains and large rivers which water it. The distance between its opposite coasts is not uniform, but the medium one is seventy leagues. Therefore, the extension of *Costa Rica*, may be calculated, without exaggeration, to be 7,000 square leagues.

"The people of this province are distributed over 22 *pueblos*; twelve of these *pueblos* are of Indians and the balance of Spaniards and colored people. Most of these *pueblos* are located at 'a few leagues' distance from each other; but some of them are so far away that they are more than 100 leagues from each other. The total population of *Costa Rica* is from 60 to 70 thousand souls, without including in this calculation the heathen Indians

who inhabit a great part of that territory and of whom four great tribes are known by the names of the *Talamancas*, the *Viceitas* or *Nortes* Indians, the *Guatuzos* and the *Zambos Mosquitos*.

"For these reasons and circumstances *Costa Rica* has always been considered and held as a province separated from the others and has been ruled in political and military affairs by a head, bearing the title of Governor and General Military Commander, who does not recognize any other superior in that Kingdom than the Royal Audiencia and Captaincy-General of *Guatemala*. Therefore it is only relating to ecclesiastical affairs that the Province is aggregated to the Bishopric of *Nicaragua*.

"There are 210 leagues of a rather rough road, almost impassable in the rainy season, from *Cartago*, capital of the Province of *Costa Rica*, to the city of *León*, capital of *Nicaragua*, which is the residence of the Episcopal See. On account of this it cannot be expected that the Rev. Bishops of such a large Diocese could fulfill punctually their Ministry as Pastors, especially relating to the general visit that they have to make every three years.

"I understand that from this segregation there will not result any inconvenience, nor will it be necessary to charge the Royal Treasury, because I believe that the tithes of that Province will be enough, the living there being very comfortable without a large income, on account of the cheapness of food.

"I stated these reasons in a memorial presented to the Extraordinary Cortes, which resolved to forward it to the Board of Regency in order that it should report on the matter, and this resolution was communicated to that Board by the Ministry of Mercy and Justice. I was informed by this same Ministry that the Board of Regency had requested the Council of State to send a report or opinion in the matter, and the Council opined that it was necessary to have on this business reports from the Rev. Bishop of *Nicaragua* and the Captain-General of *Guatemala*. And the Board of Regency, in accord with this opinion, gave suitable orders to have the said reports sent. This is the state in which this petition actually is."

The said statement having been forwarded to the Council, it has resolved that separate despatches shall be made relating to

each one of the points referred to in the statement, and that they shall be submitted to the Auditorship or to the Fiscal alone, according to their kind. By this reason and in order that it shall serve as such separate despatch with regard to the point mentioned, I sign the present certificate in Madrid, on the twentieth day of December of the year one thousand eight hundred and fourteen.

SANTOS SÁNCHEZ.

Doc. 217 Fray Ramón Roxas, Commissary Prefect of the Order of San Francisco, to the Bishop of Nicaragua, Concerning the Missions of Talamanca, etc.

GUADALUPE, July 3, 1815.¹

MOST ILLUSTRIOUS SIR:

Your Illustrious Worship has requested me to inform you concerning the *reducciones* (reductions or settlements of Christianized Indians) which my College has made in this your Bishopric of *León de Nicaragua*, how long since they were founded and the number of the individuals composing them in each settlement that has been formed, and I do this being very desirous of cooperating in the purposes which are indicated in your always just and friendly determinations.

The reduction of *Talamanca* is upon the borders of this diocese, on the side adjacent to that of *Panama*; and its first inception was about the year 1701.² Good progress was made at the beginning, so that in the year 1709 those who first subjected the Indians had founded thirteen settlements scattered through the wide extent of that or the other tribes.

In the year of 1709 above mentioned, the new converts of *Talamanca*, in a single night, burned all the churches except one, sacked them and killed two or three priests who were instructing and helping there; the other one was in *Cartago* at that time on

¹ General Archives of the Indians. Guatemala. Ecclesiastical. Duplicates of the Archbishop and Bishops, 1759 to 1829. Peralta—*Lim. de C. R. y Col.*, p. 226.

² This refers to the spiritual conquests of the missionaries.

business relating to the conquest and became insane upon hearing the terrible news.

At that time the College gave up the reduction of the *Talamancas* on account of the great scarcity of missionary workers, it having been so recently undertaken and not having as yet completed eight full years. The settlement of *Térraba*, which remained faithful and which was located four leagues distant from the old reduction of the Padres of this Province of St. George of Franciscan Observantines, called *Boruca*, was voluntarily added, and by its own motion, to said *reducción* and was taken thither with the purpose that they should be governed by the Padres of *Boruca*.

In the meantime, for the punishment of the acts which had been committed, as stated, by the *Talamanca* Indians, and in execution of the laws of the Kingdom imposed upon the Governors, the one in *Costa Rica* sallied forth with armed troops into the distant and rugged mountain region of *Talamanca* and brought out by force more than five hundred of the rebels, of whom two of the ringleaders were hung and the rest were located close to *Cartago* in the settlement called *Pilar de los Tres Ríos* and a part of that of *Garavito*, next to *Espanza*. This did not last long, for it was broken up by the climate and many poisonous insects, and the few who were left were transferred to *Orosí*. That was for a short time under the charge of the Missionaries of our College of *Guatemala* and exists now under the ordinary jurisdiction of Your Illustrious Worship.

After the lapse of twenty years the College again took up that neglected conquest. The new *reductores* (friars engaged in reducing the Indians to Christianity and in founding settlements of converted Indians) took the village of *Térraba* and moved it to almost the same site where it had formerly been and there it has remained until now, with 600 souls, most of them of the tribe called *Térbes* or *Nortes*,³ adjacent and hostile to *Talamanca*. After the lapse of two or three years the *Reductores* of *Térraba* founded another settlement at a distance of only two leagues therefrom, on a site that took the name of *Cabagra*. This lasted

³ These *Terbes*, or *Térrebes*, inhabited the territory lying between the River *Changuinola*, *Tilorio* or *Estralla* and the Bay of *Almirante*.

and prospered until the year 1761, when it was invaded by the *Nortes*, who sacked and destroyed it; and although they tried to do the same thing upon the same day at *Térraba* they were vigorously repulsed and in a Christian manner not only by the pious people, but by the common and well disposed converts.

By the year 1795 another settlement of the *Norte* tribe referred to had been founded, with the name of "*Guadalupe*." The latter, by reason of oft occurring epidemics, only lasted nineteen years, with the loss of six friars, very young and robust, so that it was necessary to gather them at *Térraba* in order to save the small remnant of some ninety persons who were all that remained.

At the same time that the reduction of *Talamanca* was thus resumed, my College was working with great energy in the new reductions of *Guaimías*, *Charivas* and *Chánguinás*, in the Bishopric of *Panama*, of which five settlements of no small size were formed, which are the same that were delivered to the College founded in that diocese and Captaincy General by my College of *Guatemala*.

Almost at the same time, that is to say, in the middle of the last century, the village of *Orosí* was founded out of the *Talamanca* tribe, and at the beginning it was located beyond *Tucurrique*, about twelve leagues from the city of *Cartago*; but later it was moved and laid out upon the site which it now occupies, distant only two leagues from *Cartago*. It has more than 800 Indians. It is fully provided with a church, holy vessels, images, adornments, houses for the venerable Fathers and Indians, cattle, goods and tools in common, the same as the village of *Térraba* already mentioned.

At the same time that this work was going on here, the same thing was being done in the Bishopric of *Comayagua* and three settlements of the *Xicaques* Indians were formed. These, either because of the fickleness of those Indians, or for other reasons which generally arise in these reductions—reasons that would take too long to enumerate and my language would not begin to express what the *reductores* with their energy generally make us feel—it was necessary to turn over to that of *Luquique*, by 1775, and up to the present time the said village is under the charge

of the College and is provided, as Your Illustrious Lordship knows, with more than enough of everything that is wanted for Divine Worship and the care of the Indians.

Recently the reduction of the *Caribs* of *Matagalpa* was under taken. Of this I will give a very brief statement for Your Illustrious Lordship which perhaps may serve as a reminder at least, so that the King, our Master, may direct the longer one to be again taken up; this, at what they called the extraordinary Cortes, was presented to His Majesty in the year 1813, proposing the measures for making effective the conquest and subjection of this tribe, so remarkably obstinate, clever and fickle and dangerous to the Christians who live in those regions. It is this:

This reduction was begun in the year 1750; shortly afterwards the villages of *San Ramón* was laid out next to *Matagalpa*, and then the three called *Buaco Viejo*, *Olama* and *Aguasca*. Only the first one was under our charge, while it was provided with everything and it had a great deal of personal and real property, at the expense of the labor and care of its missionary conductors; and then it became necessary to turn it over prematurely to the regular Government, civil and ecclesiastical. The second was invaded by the *Caribs* from the mountain region, helped by the new converts of the village, who had murdered Padre Fray Antonio Cáceres, their *Reductor* (the one who had charge of their conversion), and they burned the settlement and everybody fled. On account of this destruction the Government determined to take away the other two settlements by force of arms, and that was carried out, placing one a few leagues from *Xinotepet*, in a deserted place. They stayed there a short time, taking advantage however of the solitude and the Minister Missionary Fray Francisco Sareas, being without any guard, they wounded him and, leaving him for dead, all ran away. For these good reasons the said reduction was then abandoned and it was left until, at the instance of the Most Illustrious Señor Bishop of this diocese, who was then the Most Illustrious Señor Don José Antonio de la Huerta, my College once more determined, with the heroic courage of its convictions, to undertake it in the year 1806. After innumerable efforts, expenses, difficulties and risks to my companions and myself, two settlements of converted Indians had

been laid out in the year 1811, at a distance of less than a day's journey from *Matagalpa*. We were busy—as many as five Missionaries at a time—and very earnestly and at great cost in their development, without sparing any expedient, effort, expense and labor; but oh, unhappy people—violent, fickle and ungrateful! No sooner did we see the settlement full of proselytes brought by the efforts of the *reductores*, than they were emptied by the impulses of their innate fickleness and inexhaustible delusive reports.

Not to weary Your Illustrious Lordship with this narration, more prolix than was asked for—though less than I would like—I will say that during the last year the critical moment arrived when by a multitude of interwoven circumstances we were driven to the unfortunate alternative, either to have recourse to the Señor Governor to take away the settlements for us to the suburbs, or at any moment to be both of us shut out of the three other settlements of this violent tribe, above mentioned, with irreparable spiritual and temporal losses, as happened in the same year 1814 at the settlement which I had already begun to establish during the previous year in the Islands of *Solentiname*.

It was decided to take away the two settlements, and this was fortunately accomplished, they were grouped together in a place five leagues distant from *León* and nearly three from here. Work was begun very ardently upon dwellings and the rest, but when we had things quite ready God sent a pestilence that lasted for three months, by which time the four *reductores* and all the Indians had become seriously ill, so that it became necessary for us to go with all of them to the city of *León*, taking them in carts. One hundred and twelve died. Afterwards we removed to the location we now occupy, a few *cuadras* (*cuadra*—a quarter of a mile) distant from *Chichigalpa*, and six leagues from *León*; by reason of the good climate and good neighborhood of this settlement a good many *ladinos* served us for help and protection. Since we came from *Matagalpa* no Carib has run away to his mountain region; the settlement is composed of a hundred and twenty-one persons. We already have very fair houses, some cattle, and a part of the church has been built which was laid out, sufficient for the sacred services. Placed upon this footing

the reduction, God willing, will go on, its development secure and its results constant.

This is the report and account I can give now to Your Illustrious Wordship as to the reductions which my College has in the districts of its Bishopric, in compliance with your request, but if it is desirable that at another time a more extensive report be made, covering all the points fully, I will do it very gladly for the greater glory of God, the salvation of the infidel natives of the neighboring tribes, the increase of the dominions of our Sovereign and the fold of Your Illustrious Wordship.

May God Our Lord guard you many years.

Guadalupe, July 3, 1815.

Most Illustrious Señor.

FRAY RAMÓN ROXAS,
Commissary Perfect.

To the Most Illustrious Bishop of Nicaragua, Don Fray Nicolás García Xerez.

Doc. 218 The Governor of Costa Rica to the Captain General of Guatemala.

CARTAGO, August 5, 1815.¹

MOST EXCELLENT SIR:

The private communication of Your Excellency of June 15th places me in possession of the Royal Order of the 12th of April last, which was communicated to Your Excellency by the Universal Ministry of the Indies, for the observance of the laws of these dominions as regards foreigners, and more especially Law 8, Title 27; Book 9 of the *Recopilación*, of which Your Excellency enclosed a copy for me; and that in its execution, it having been positively known at Court that three mercantile expeditions had sailed from Leghorn for our colonies, undertaking to light anew the flame of discord by which the tyrant of Europe² is trying to burn up the world, the King had been pleased to resolve that Your Excellency should notify me not to permit any person whatever to land at this port without the most minute registration and rigorous examination being made of his baggage and the articles brought, noting very carefully the papers which are found, and the other matters which are contained in the said Royal Order and notifications which are given to me by Your Excellency, so that if any suspicious object be found in the lists which are made its owner may be arrested and held, and all his baggage and effects levied on. In such a case I will inform Your Excellency, with the papers and whatever else is found, and for such purpose and in a confidential manner I have communicated this Royal Order to the ports of *Matina* and *Punta de Arenas*.

May God guard Your Excellency many years.

Cartago, August 5, 1815.

Most Excellent Sir.

JUAN DE DIOS DE AYALA.

To the Most Excellent President, Governor and Captain General, Don José de Bustamante.

¹ *Ubi supra*. Peralta, p. 232.

² Napoleon.

Letter of Don Juan de Dios de Ayala to the Father, Fray José María Núñez, President of the Active Missions of Costa Rica. Doc. 219

CARTAGO, August 25, 1815.¹

I have read with much concern the official communication of Your Reverence of this date, in which you tell me that the Reverend Father *Reductor*,² Fray Apolinar Moreno, having gone into the mountain region to take out two Christian Indians who had disloyally run away upon another occasion when the same Father entered to see if he could succeed in subjecting some infidels, the tribe of *Surchis*³ had the audacity to sally forth in a hostile manner and, with sticks, set upon the aforesaid Father, and those who accompanied him, taking away from them what they carried with them for presents and trade with the other infidels, and they captured the Christian Indian, Cayetano Navarro.

As to the two unfaithful Indians, who came voluntarily with Manuel Antonio Aguilar, seeking to become Christians (as they really are now), I will make the utmost efforts to get them out of the mountains, and will communicate the proper order therefor to the Sergeant commanding the Detachment of *Matina*.

The captain of the *Sala de Armas* (armory) has been directed by me to place at the disposal of Your Reverence twenty-five guns, with the corresponding powder, balls and flints, but I did not arrange for Your Reverence the twelve men requested of me, because it was necessary that they be paid for account of the Royal Treasury and at the present time its funds are very low.

It seems to me desirable that the village of *Térraba* be maintained on the defensive with the guns and other equipment that goes herewith, and that a guard of the residents thereof stationed in the Church and the Convent from sunset until break of day, with such sentinals as may seem best and four patrols to alternate during the night, in order to avoid any surprise which the

¹ National Archives of Costa Rica. Historical Section. Fernández, X, p. 505.

² *Reductor*, one who is engaged in the "reduction" or subjection of the Indians.

³ A Talamanca tribe.

heathen Indians might attempt to make, accompanied, perhaps, by insurgents from *Cartagena* or other places.

I will make a report to the Most Excellent President and Captain General, in case His Excellency should deem it best to order an entry to be made in the North with some considerable force; or he will direct what shall be most desirable.

May God guard Your Reverence many years.

Cartago, August 25, 1815.

JUAN DE DIOS DE AYALA.

To the Señor Father José Maria Núñez, President of the active missions of this Province.

Doc. 220 Letter of Don Juan de Dios de Ayala to the Commander of the Detachment of Matina.

CARTAGO, September 1, 1815.¹

The Rev. Father, President of these active missions, in an official communication of the 25th ultimo, advised me that the Rev. Father *Reductor*, Fray Apolinar Moreno, having gone to the North, the Indians of the tribe of *Surchís* came out to meet him, and they attacked the said Father and those who accompanied him, carrying away to the North the Christian Indian Cayetano Navarro, who had been taken along by the aforesaid Father for the purpose of treating with the heathen Indians; and yesterday, upon the arrival of Indians from *Térraba*, the news was brought to me that neither the Father Moreno nor the Indian Cayetano had reached that village, on account of which I fear the Indians may have seized them. This I communicate to you to the end that effort may be made to save the life of the Father and of the Indian, and in case he is found you will send him to me with a proper guard so that there may be no danger to his person.

You may be able to learn the whereabouts of the Father and of the Indian Cayetano from the Indians who are in the habit of

¹ National Archives of Costa Rica. Historical Section. Fernández, X, p. 507.

going to that valley; you will offer them a reward provided they deliver to you the Father or tell you where he may be found.

You will also ascertain whether there are any insurgents upon that coast, where they are, their number and if they have weapons of steel and fire-arms; and I trust that you will give to me a prompt response to this communication.

May God guard you many years.

Cartago, September 1, 1815.

JUAN DE DIOS DE AYALA.

To the Sergeant of the *Pardos* (colored troops), Simón Gutiérrez, Commander of the Detachment of *Matina*.

Don Luis de Onís, Minister of Spain in the United States, Doc. 221
to the Secretary of State, Mr. James Monroe.

PHILADELPHIA, September 5, 1815.¹

SIR:

Under the date of 30th June, I am advised by Lieutenant General Don Pablo Morillo, captain general of *Caracas* and commander of the expedition which His Majesty has destined to re-establish tranquillity at *Cartagena*, that, with a view to accelerate this important object, he is about to establish the most rigorous blockade of the ports of the viceroyalty of *Santa Fé*, including *Cartagena*, and that, in consequence, every neutral vessel found, not only in those ports, but on those coasts, shall be taken as prize, in order to prevent those who have revolted from His Majesty's authority from receiving succor of any kind.

I have thought it proper to communicate this to you for the information of the President, that the injuries may be voided which would result to the citizens of this republic, if they continue, as heretofore, to trade with the rebels against the authority of my sovereign.

I renew to you, &c..

LUIS DE ONÍS.

¹ American State Papers, Class I. Foreign Relations, Volume IV, page 156.

Doc. 222 Don Luis de Onís, Minister of Spain in the United States,
to the Secretary of State, Mr. James Monroe.

PHILADELPHIA, March 2, 1816.¹

SIR:

Don Pablo Morillo, Commander-in-Chief of the forces destined by the King, my master, for the pacification of the Viceroyalty of *Santa Fé*, tells me, under date of the 19th of December last, that, after having compelled *Cartagena* to surrender at discretion, he had found it expedient, for the complete re-establishment of the tranquillity of the Viceroyalty, to continue the blockade from *Santa Marta* to the river *Atrato*, inclusive; and to give orders that if any vessel be met with further south than the mouths of the *Magdalena*, or further north than the parallel of Cape *Tiburón*, on the *Mosquito shore*, and between the meridians of those points, she would be declared a good prize, whatever documents or destination she might have; but that he had left open to the commerce of neutrals the two ports of *Santa Marta* and *Porto Bello*.

I have the honor to give you this notice, as it may be interesting to the merchants of the United States, and to renew the assurances, &c.,

LUIS DE ONÍS.

¹ American State Papers, Class I. Foreign Relations, Volume IV, page 156.

Mr. Monroe, Secretary of State, to Don Luis de Onís, Minister of Spain in the United States. Doc. 223

MARCH 20, 1816.¹

SIR:

I have the honor to receive your letter of March 2, announcing the continuance of a blockade of the Spanish coast in South America, from *Santa Marta* to the river *Atrato*, inclusive of the latter, by the Commander-in-Chief of His Majesty's forces; and that if any vessel is met south of the mouths of the Magdalena, or north of the parallel of Cape *Tiburón*, on the *Mosquito coast*, and between the meridian of those points, she shall be seized and condemned as prize, whatever may be her documents or destination. You state, also, that the ports of *Santa Marta*, and *Porto Bello*, are left open to neutrals.

I have to state that this proclamation of General Morillo is evidently repugnant to the law of nations, for several reasons, particularly the following: that it declares a coast of several hundred miles to be in a state of blockade, and because it authorizes the seizure of neutral vessels at an unjustifiable distance from the coast. No maxim of the law of nations is better established than that a blockade shall be confined to particular ports, and that an adequate force shall be stationed at each to support it. The force should be stationary, and not a cruising squadron, and placed so near the entrance of the harbor or mouth of the river as to make it evidently dangerous for a vessel to enter. I have to add, that a vessel entering the port ought not to be seized, except in returning to it after being warned off by the blockading squadron stationed near it.

I am instructed by the President to state to you these objections to the blockade which has been announced in your letter, that you may communicate them to your Government, and in confidence that you will, in the meantime, interpose your good offices, and prevail on General Morillo to alter his proclamation, and practise under it, in such a manner as to conform, in both respects, to the law of nations.

¹ American State Papers, Class I. Foreign Relations, Volume IV, pages 156-7.

In stating to you these well-founded objections to the blockade of General Morillo, I have the honor to observe that your motive for communicating it is duly appreciated.

I have the honor to be, &c.,

JAMES MONROE.

Doc. 224 Don Luis de Onis, Minister of Spain in the United States, to the Secretary of State, Mr. James Monroe.

PHILADELPHIA, March 25, 1816.¹

SIR:

I have received your official letter of the 20th of this month, in which you state that the proclamation of General Morillo is repugnant to the laws of nations, as well because it declares a coast of several hundred miles in a state of blockade, authorizing the capture of every neutral vessel at an unlimited distance from the coast, as that it is an established maxim among nations that a blockade should be limited to the ports where there may be a stationary and not a cruising force sufficient to make the entrance of the harbor or river where it may be placed dangerous; and, finally, that, even in this case, a vessel ought not to be captured when she is about to enter a port, save only when, after having received notice of the blockade, she attempts to infringe it. You are pleased to state to me that the President desires that I will communicate these observations to my Government, and that I should use my good offices, confidentially, with General Morillo, so to modify his blockade as to make it conform to the laws of nations.

I will communicate to His Majesty, in compliance with the wishes of the President, what you have stated to me in your note; and I will with pleasure avail myself of the departure of Mr. Hughes to write to General Morillo, inviting him, in the execution of his blockade, to avoid the injurious effects resulting therefrom to the citizens of this republic, so far as may be compatible with the security and tranquillity of His Majesty's dominions under his command.

I must, however, observe to you, Sir, that General Morillo has

¹ American State Papers, Class I. Foreign Relations, Volume IV, page 157.

a naval force disposable and competent, as I conceive, to the object in view; that, on the 3d of February, there sailed from Cádiz a squadron composed of a ship of the line, two frigates, and several smaller vessels, as a reinforcement; that, on the coast intended to be blockaded by the said general, there are no other ports of entry for merchant vessels than those of *Carthagena*, *Santa Marta*, and *Porto Bello*; and, finally, that the measure taken by him, not being directed against an enemy's country, is not, as stated in your esteemed note, contrary to the laws of public rights. The object of the general's proclamation is to notify the traders of foreign nations that he will maintain the laws for the regulation of the Indies in their full force; the observance of which had been relaxed, in latter times, by the effect of circumstances, though modified, however, in favor of neutrals, by leaving two ports open to their commerce. You are aware that, agreeably to those laws, no foreign vessel was allowed to trade with the dominions of His Majesty on that continent, without a special license, and that vessels found near, or evidently shaping a course towards them, were liable to confiscation as interlopers. Not only that part of the coast lying between *Santa Marta* and the river *Atrato*, but the whole coast eastward and southward of those points, from the *Orinoco* to the territory of this republic, belongs to the Spanish monarchy; and, consequently, any vessel whatever found near it, or standing towards it, can have no other object than to carry on smuggling, or stir up a civil war in the King's dominions; in either case, the laws of nations recommend the seizure of the vessels so employed. Actuated by a constant desire to prevent the misfortunes which such injuries might occasion to the citizens of this republic, I have, on other occasions, suggested a very simple mode of putting an end to them, namely, that the President would be pleased to issue orders that no vessel should be cleared at the custom-houses save for a specified port, according to the general practice of nations. The practice of clearing many vessels for the *West Indies*, generally, carries with it a suspicion of a design to carry on a contraband trade, or to disturb the public tranquillity in the dominions of the King, my master; and, therefore, the owner who clears his vessel in this way, and without the certificates of the Spanish consuls, cannot complain if it be detained as suspicious

In fact, what difficulty can a merchant, acting fairly, have to specify the port of *Havana, Kingston, Santa Marta, La Guaira, Porto Bello, Río Janeiro*, or any other of an independent nation? None, unquestionably; since, in case of not finding a good market at one place, he proceeds to another, with a declaration made at the port he touched at of the motives which obliged him to alter his destination. The wisdom and humanity which eminently distinguish the President and the administration cannot fail to perceive the solidity of these observations, or to approve of the policy of His Majesty in taking the most suitable and effectual measures to secure his subjects from the civil war which a number of adventurers are endeavoring to kindle in his dominions; and I therefore flatter myself that he will be pleased to take into consideration the expediency of adopting the measure I have had the honor to suggest to you, by preventing the collectors of the customs from clearing vessels, except for specified ports, and notifying merchants trading with the possessions of the King to conform to the established rules and orders, regulating not only neutrals but Spanish vessels also, that they may avoid the consequences of their nonobservance, notwithstanding His Majesty's desire to afford them, within his dominions, all the benefits and advantages compatible with the public safety and his royal interests.

I hope that the explanation which I have thus taken the liberty to make, until I have received the answer of the King, my master, will quiet the anxiety of the President as to the proclamation of General Morillo, and that it will be viewed by him as a continuance of my earnest desire to reinstate the commerce of the two nations, reciprocally, on the most liberal and favorable footing.

I renew my respects, &c.,

LUIS DE ONIS.

From the Governor of Costa Rica to the Commandant of **Doc. 225**
Matina.

CARTAGO, April 4, 1816.¹

The muster rolls of the individuals who have served in your detachment during the past month remain in my possession.

The *machete* has been delivered to the office deputy so that it may be replaced or repaired.

The news you give me, which was communicated to you by the mulatto Neti of *Brufil*,² that the corsair who seized the guard-station of *San Juan* last year had come back this year to the Island of *San Andrés*, and that he killed the Governor and ten soldiers, makes it necessary for you to get further details and give me a careful report thereof, so that I may advise His Excellency the President and Captain General. The Royal Treasury has very little means and cannot place more troops in the guard station at the *Boca*,³ and it is for you to continue to exercise the greatest vigilance in order not to permit a surprise in that Valley, as it concerns the lives and property of all its inhabitants; and this is my answer to your official communication of the 29th ult.

May God guard you many years.

Cartago, April 4, 1816.

JUAN DE DIOS DE AYALA.

To the Sergeant of the *Pardos* Francisco Barrios, Commandant of the Detachment of *Matina*.

¹ *Ubi supra*. Peralta, p. 233.

² "Brufil," for Blewfields, or Bluefields, the well known port and establishment of *Mosquitos*.

³ *Boca*, or mouth, referring to the mouth of the River *Matina*.

Doc. 226 Letter of Don Juan de Dios de Ayala to Fray José Vicente Quesada.

CARTAGO, June 17, 1816.¹

The Sergeant commanding the Detachment of *Matina* writes me, under date of the 3rd instant, among other things, as follows:

"On this date some Indians came out from the River *Yrripó*,² and asked me to report to Your Honor that their comrades say that the Indians whom Reverend Father Quesada took out with him must be sent back, and that if he again goes thither they will kill him and kill the Indians he may take; and that if those Indians do not return they will destroy the Village of *Tucurrique*. I communicate this to Your Honor for your information."

I advise Your Reverence for your information, to the end that Your Reverence avoid the evil results that may happen.

May God guard Your Reverence many years.

Cartago, June 17, 1816.

JUAN DE DIOS DE AYALA.

To the Rev. Father Fray José Vicente Quesada, temporary President of the active missions of this province.

Doc. 227 From the Governor of Costa Rica to the President of Guatemala.

CARTAGO, July 5, 1817.¹

MOST EXCELLENT SIR:

In pursuance of the official communication of Your Excellency of the 14th of April last, enclosing the Royal Order of September 4th of the year last past, I immediately communicated the same to the Sergeant Commandant of the Valley of *Matina* for prompt execution, and the latter has replied; the original of his reply I forward to you for your better knowledge and information.

For the same purpose it has seemed to me desirable to send a copy of the said answer to the Colonel Don Joaquín Arechavala,

¹ National Archives of Costa Rica. Historical Section. Fernández, X. p. 511.

² Chirripó.

³ *Ubi supra* Peralta, p. 234.

temporary military commandant of the Province of *Nicaragua* as far as regards the *River San Juan*.

The Sergeant of *Matina* who is mentioned, I especially warned, reiterating the need for the greatest vigilance in the way this matter should be handled, and I will immediately give an account to Your Excellency of anything further that occurs.

May Our Lord guard the life of Your Ex. many years.

Cartago, July 5, 1817.

JUAN DE DIOS DE AYALA.

To the Most Excellent President and Governor and Captain General, Don José de Bustamante.

Royal Cédul Relating to the Impost of One Peso for Each Quintal of Cacao Brought From the Port of Matina to Cartago. Doc. 228

THE PALACE (OF MADRID), May 26, 1818.¹

THE KING.

To my Captain General of the Kingdom of *Guatemala*:

In a statement of July 12, 1814, the Ex-Deputy for the Cortes from the Province of *Costa Rica*, D. Florencio del Castillo, stated to me that for seventy years there has been established therein the voluntary contribution of one *peso fuerte* (a hard or full dollar) for each quintal (about 100 pounds) of cacao that the Valley of *Matina* sends to the said province, with the purpose of having these funds strictly employed in repairing the rough and almost impassible roads that lead from that capital to the ports of *Matina*, on the North coast, and *Punta en Arenas* on that of the South, to the end of developing its trade and fortifying the former in its Valley, which is frequently attacked by the *Zambos Mosquitos*, and which, notwithstanding its products have brought into the Royal Treasury 400 thousand pesos, and their collection is being continued by the officials, there has not been applied to the purposes for which it was instituted any more than was expended in repairing a defective Fort on the frontier of the *Mosquitos*, afterwards destroyed by the English; and consequently,

¹ Archives of the Indies. Audiencia of Guatemala. Opinions, Decrees and Royal Orders, (*Consultas, decretos y Reales órdenes*). Years 1807 to 1818. Peralta—*C. R. y Col.*, p. 315.

referring to the injury to agriculture on account of the exorbitant amount of the aforesaid tax of one *peso fuerte* upon each quintal of cacao, he concludes by begging that I may be pleased to command that this be reduced one-half and that its proceeds be strictly devoted to the object for which it was established.

This having all been examined in my Council of the Indies, with the information supplied by the General Accounting Office and the statement of my Fiscal, it has appeared desirable to charge and command you, as I do hereby, to notify the Governor Intendant of the Province of *Nicaragua* that, in consultation with the officials of my Royal Treasury who may be there, a despatch be prepared in which shall appear the origin of the said contribution and the purpose for which it was established, with the other information that is proper to form an idea of this matter, and as soon as it is sent to you, it shall be by you forwarded to the Fiscal of the Royal Treasury and to the Audiencia for a consultation and action, giving your account with testimony and your report as briefly as possible, for such measures to be taken as shall be my Royal pleasure as regards the reduction of the said tax which is asked for and the purpose for which it has been collected up to the present time; but as regards what it shall hereafter produce, if it shall appear that it was established with the object of repairing the road to the Valley of *Matina*, as stated, you will thereafter make the provisions which are thus shown.

Dated at the Palace, May 26, 1818.

I, THE KING.

ESTEBAN VAREA.

Doc. 229 The Governor of Costa Rica to the Commandant of Matina.

CARTAGO, April 6, 1819.¹

I am informed by your official communication of the 1st instant that guards have been stationed in those localities where they appeared to be most desirable for the defense of your Valley.

I notify you again that in everything you must conform your action to the orders which I gave to you in writing, without doing anything contrary thereto under any pretext.

¹ *Ubi supra.* Peralta, p. 236.

Under this date I wrote to Sergeant Simón Gutiérrez, giving him political command of that Valley, which is to be located in the place where justice can be administered promptly to its inhabitants, leaving the Sergeant in the first place with the same salary, and in the next place he will conform, without failing in any particular, to the orders which you have in your possession, and whenever there is the slightest news he will report the same to me promptly as Governor and General Commandant of the whole of the province.

May God guard you many years.

Cartago, April 6, 1819.

JUAN DE DIOS DE AYALA.

To Don José Angel Flores, provisional *Commandante de Armas* of the Detachment of *Matina*.

Description of the Captaincy General of Guatemala by Dr. Don José Mariano Méndez, Deputy for the District of Sonsonate, Presented to the Cortes. Doc. 230

IN THE YEAR 1821.¹

POLITICAL STATE.

Guatemala, situated in Northern America, longitude from 282° to 295°, and latitude from 8° to 17°, has a length of 13 degrees, which makes 227 Castilian leagues of 17½ to the degree; and by road it is calculated at more than 700 leagues from *Chilillo*, the end bordering with the Audiencia of *Mexico*, as far as *Chiriquí*, the frontier line of the jurisdiction of the Audiencia of *Santa Fé de Bogotá*. In width it is 9 degrees, from the southern territories of *Costa Rica*, to the northern ones of *Chiapa*. The greatest extent of its territory between the Ocean and the Pacific is 180 leagues and the shortest no less than 60. It borders on the west with the Intendancy of *Guaxaca*; on the east with the Province of *Veragua*, district of *Tierra Firme* and *Santa Fé*;

¹ Don José Mariano Méndez—*Memoria del Estado Político y Eclesiástico de la Capitanía General de Guatemala, etc., presentada á las Cortes*. Madrid, 1821. National Library of Madrid. Sala de Varios. Bundle 186. Guatemala. Peralta—*Lím. de C. R. y Col.*, p. 241.

on the north with the Ocean, and on the south with the Pacific.

* * * * *

Throughout the extent of this Kingdom there is but one Audiencia, which sits in the capital of *Guatemala*, with its Captain General, who has a large number of subordinate chiefs for the political and military administration and government of the fifteen provinces into which it is divided, and these are: the eight *Alcaldías mayores* of *Totonicapam*, *Sololá*, *Chimaltenango*, *Sacatepeques*, *Sonsonate*, *Verapaz*, *Escuintla* and *Suchitepeques*; the two *Corregimientos* of *Quezaltenango* and *Chiquimula*; the Government of *Costa Rica*, and the four Intendancies of *León de Nicaragua*, *Ciudad Real de Chiapa*, *Comayagua* of *Honduras*, and *San Salvador*. Of these provinces five are located on the coast of the Pacific Ocean, five toward the Atlantic Ocean and the remaining five between both seas, the capital being *Guatemala*.

These fifteen Provinces being governed in this manner, notwithstanding a few good laws, the experience acquired during the three past centuries shows that far from improving, all the *pueblos* have run to their total destruction. Many of them that counted from 14,000 to 20,000 Indians, only have now 30 or 40 families. No care has been taken of teaching and civilizing the people in order that they may emerge from the ignorance, oppression and misery in which they are plunged; they are without policy, industry, arts or trade, and are subjected to the small salary that is paid to them in some places for very hard work; and most of the time they are without any retribution, because their rulers call them officially, making them believe that an inveterate abuse is a legal and praiseworthy custom and that they must serve gratuitously the curates, *Alcaldes mayores*, brotherhoods, and the offices of justice and posts. And they have also to furnish rations, tributes and contributions for communities, an institution the utility of which has never been proved (like that of *Montepío* of farmers in *San Salvador*). And moreover the greater part of the *pueblos* have no public schools; neither have they roads or ports for the easy exportation of their products; and there is only a limited trade carried on by a few firms which get a very large profit through the very high prices at which they sell the goods on cash, increasing it by the money

advanced on the *repartimientos* of the *Alcaldías mayores*, crops of indigo, cotton, *bálsamo*, cocoa, pepper, sugar and cattle raising, paying for all these things half the price they are worth at Fair time.

It would be wearisome to specify the numberless abuses the people undergo, and by stating that the rulers have only endeavored to attend to their own business and not look after the welfare of the natives, all has been said.

The time decreed by the designs of the eternal Code of Reason for the welfare of America, and the end of its slavery, has come; America is no longer to be the patrimony of any individual. Thus it has been decreed by the whole Nation, and it is only lacking the execution thereto, giving the people to understand this fact for its consequences. The Representatives of *Guatemala* ask and claim justly for the accomplishment of it, proposing to the August Congress, in fulfillment of their duty, the division of the Kingdom of *Guatemala* into the following eight Provinces, for the good management of the political, civil and Ecclesiastical government.

As the length of the land extends more than 700 leagues it must be divided up by the demarcation of the territory of the *pueblos* which are going to be enumerated as to the extent of each one of the eight Provinces in the length and width, in order that they shall have ports on both seas, North and South, commencing on the east side with the City of *Cartago*.

First: This city is the capital of the Province of *Costa Rica*, situated in the center, at 80 leagues distance from the frontier line of Nicaragua and as many more from that of *Costa Firme* (*Tierra Firme*), jurisdiction of *Veragua*, and thirty leagues from the port of *Esparza* on the South Sea and at a like distance from that of *Matina* on the North Sea; so that the total length is 160 leagues and the width 60, in which area it has the cities of *Cartago* and *Esparza*; the towns of *San José de Ujarraz*, *Villavieja*, *Villahermosa*, and the villages of *Espíritu Santo*, *Pueblo Nuevo*, *Escasú*, *Alajuela*, *Bagases*, *Las Cañas*, *Barba*, *San Fernando*, the Indian villages of *Cot*, *Quircó*, *Tobosi*, *Curridabá* and *Ascerri* with the settlements of new converted Indians of *Orosí*, *Atirro*, *Tucurrique*, *Buruca*, *Térraba* and *Guadalupe*, adding the district of *Nicoya* and its annexed district of *Guanacaste*, which

make 27 peopled places that count 46,895 souls by the census of 1778.

The climate of this Province is mild and it has pleasant valleys fertilized by a great number of rivers. The plants of America and Europe grow there, and its principal products are wheat, maize, rice, black beans, cocoa, tobacco, cotton; in *Nicoya* they fish for pearls and a certain kind of small shell fish from which they extract a liquid and with it dye thread to a beautiful and permanent violet color.

In olden times this Province was more populous, and besides its Governor had four *corregidores* and a rather rich trade with *Panama*, *Portobelo* and *Cartagena*. It abounds in all sorts of timber and gum trees, and it has farms of cattle, sheep, horses and mules. The distance from the capital of *León de Nicaragua* is more than 200 leagues and from *Guatemala* 400. In 1813, its Deputy in the Cortes endeavored to have it erected into a Bishopric, on account of the distance and the spiritual needs it undergoes; and this same effort was repeated in the present Cortes, asking also for a Provincial Deputation, it being desirable that both things should be established by all means for its welfare and the benefit of its industry, agriculture, science, arts and trade, considering its situation, products and metals of silver, gold and copper which are very abundant therein. Its better administration and government can only be attained by means of a Provincial Deputation, Political Chief, Intendant, University, College and Bishop without canons.

* * * * *

ECCLESIASTICAL STATE.

In spiritual matters the Kingdom of *Guatemala* is governed by an Archbishop and three Suffragan Bishops, save the District of *Petén*, which is under the care of the Bishop of *Yucatán*.

* * * * *

The second Bishopric is that of *León de Nicaragua*. Its jurisdiction embraces the whole Intendancy of this name and the Government of *Costa Rica*. It has in its territory 40 Parishes and 3

Reducciones of heathen Indians with 88 churches. This Bishopric was erected by Pope Paul III, in 1531, and its See has been occupied by 33 Bishops, 10 friars and 23 priests,, of which only 8 were Americans and the others Europeans.

* * * * *

Royal Order Relating to Freedom of Trade Between the Kingdom of Guatemala and the English Colony of Wallis (Belize). Doc. 231

MADRID, November 18, 1822.¹

Contaduría General de Ultramar (General Accounting Office for Beyond the Seas); Northern Department.

MOST EXCELLENT SIR:

The Predecessor of Your Excellency was directed, in Royal Order of May 20, 1821, to report by this office, enclosing the statement of the Provincial Deputation of *Nicaragua* which was forwarded by the Political Chief and Intendant of that same province with letter of May 20, 1820, complaining that the Captain General of *Guatemala*, Superintendent of the Public Finances, had permitted free traffic from that Kingdom through the ports of *Omoa* and *Trujillo* with the English Colony of *Vallis* (Belize), to the very grave injury of the agriculture of *Nicaragua*.

The Deputation asked that this matter be reformed and such traffic prohibited, or that it should be made to extend to the ports of *San Juan* and *Matina*, to the North and South thereof, because the injury which would result in this latter case would be less, as suggested by the Intendant in his letter of February 4, 1820, which has also been placed with the foregoing statement.

The *Contaduría General* expected that the Cortes would have taken up the subject of the arrangement of the system of the Public Finances of Beyond the Seas, as indicated by the repeated references thereto which have been made in its discussions,

¹General Archives of the Indies. Shelf 101. Compartment 5. Bundle 1. Peralta—*Lim. de C. R. y Col.*, p. 273.

extending it also to the regulation of the commerce of those countries, under the requirements of the new system which has just been adopted; and so, relying upon this just expectation I withheld the despatch so as not to interfere with the subsequent dispositions, but as it was not able to do this until this province was quieted, this office thinks that the only thing that can be done now is to file this despatch, if Your Excellency approves of that course, in the department under your charge, until some change in circumstances offers a better prospect for again taking it into consideration; for this purpose I return it to Your Excellency.

May God guard, &c.

Madrid, November 18, 1822.

JOSÉ DE TEJADA.

To the Most Excellent Secretary of State, and of the Department of the Treasury.

ADDENDA.

Sentence of the Council of the Indies in the Suit Instituted in Regard to the Desaguadero. This Sentence Was Embodied in the Royal Cédula of May 6, 1541. Doc. 232

MADRID, April 9, 1541.¹

DON CARLOS AND DOÑA JUANA, &.

* * * * *

"In the town of Madrid, on the ninth day of April of the year one thousand and forty-one—

"The gentlemen of His Majesty's Council of the Indies having seen the petitions presented on appeal by Rodrigo de Contreras, Governor of *Nicaragua*, and Diego Gutiérrez, Governor of the Province of *Cartago*,

"They command that a letter be delivered by His Majesty in order that the said Diego Gutiérrez be authorized to enter by the mouth of the *Desaguadero* and to settle and allot lands upon the coasts of both sides of the said *Desaguadero*, although it might be discovered by the said Rodrigo de Contreras or by the captains who might have been sent by him to do it, provided that the said Diego Gutiérrez shall not enter into what the said Rodrigo de Contreras or the said captains might have settled or allotted and that might be possessed in fact by the allotment holders in the whole of the said *Desaguadero* region on both the said coasts, because it is so provided by the *capitulación* made with the said Diego Gutiérrez;

"And they command that if any questions should arise on this subject, the judges of the *Audiencia* shall determine them, and

¹ Archives of the Indies. Audiencia of Guatemala. Registers of Nicaragua. Royal Orders to the authorities and individuals of that Province. Years 1529 to 1564. Book III, from 1537 to 1561. Peralta—C. R., *Nic. y Pan.*, p. 125.

that the said Governors must keep and fulfill the foregoing, under penalty of being dispossessed of the said governments;

"And they pronounce and command the foregoing on revision."

And We also have commanded that neither the said Diego Gutiérrez nor his Captains nor the men that he may take with him at present or at any other time whatever shall not enter into the said lake or within the fifteen leagues of the said *Desaguadero*, although the same might not be settled or discovered by the said Rodrigo de Contreras;

And because now, on the part of Rodrigo de Contreras We have been begged to command that our letter and provision be delivered to him in order that the contents of the said sentence pronounced on revision by the said gentlemen of our Council shall be kept and fulfilled, or as may be our pleasure;

And those of our Council having considered the aforesaid, it has been resolved that We should deliver this our letter and We, deeming it well,

Declare and command by these presents that you, the said Diego Gutiérrez, are authorized to enter by the mouth of the *Desaguadero* on the North Sea and to settle and allot lands upon the coasts of both sides of the said *Desaguadero*, although it might be discovered by the said Rodrigo de Contreras or by the captains who might have been sent by him to do it, provided that you shall not enter into what the said Rodrigo de Contreras or the said captains might have settled or allotted, and that might be possessed in fact by the allotment holders, in the whole of the said *Desaguadero* upon both the said coasts, because you are forbidden to do this by the said *capitulación* that by our order was made with you;

And if any questions should arise between you, We command you both that you shall go before our judges of our *Audencia* which sits in the city of *Panama* in the Province of *Tierra Firme*, and these We command to decide the question after having heard the parties; and what they might thus declare and order, We command you the said Diego Gutiérrez and the said Rodrigo de Contreras, that both of you shall be obliged to fulfill it;

And We likewise forbid, prohibit and command you, the said Diego Gutiérrez, that neither you nor your captains, nor the men

that you may take with you at present or at any other time, shall enter into the said lake nor within the fifteen leagues of the said *Desaguadero*, because you are forbidden and prohibited to do this by your said *capitulación*, although it might not be settled or discovered by the said Rodrigo de Contreras;

And all the foregoing We command you the said Diego Gutiérrez and the said Rodrigo de Contreras to keep and fulfill, as it is stated and declared in this our letter, each one of you according to what he is concerned and has to fulfill;

And you must not go against the contents and form of the foregoing in any way whatever, under penalty of being dispossessed of the said governments in your charge and furthermore of a fine of one hundred thousand *maravedís* for our chamber.

Done in Talavera, on the sixth day of May of the year one thousand and forty-one.

FR. GARCÍA,
Cardinalis hispalensis.

Countersigned by Juan de Sámano.

Signed by the Doctor Beltrán, the Bishop of Lugo, the Doctor Bernal and Gutierre Velázquez.

Memorial of Don Rafael Figuerola.

Doc. 233

YEAR 1561.¹

CATHOLIC ROYAL MAJESTY:

Don Rafael Figuerola, Governor of *Tierra Firme*, states that he has served and is still serving Your Majesty in the said Province and Kingdom with all the fidelity, assiduity and honesty of which he has been capable, with all his might, skill and property, both in the government of *Tierra Firme* as well as in the conquest and settlement of the Province of *Veragua*, in which he is at present occupied and employed by order of Your Majesty and of the Count of Nieva and the commissioned men who went with

¹ Archives of the Indies. Shelf 1. Compartment 6. Bundle 2/25. Fernández—IV, p. 199.

him. And that he (Figuerola) has pacified the territory which was thrown into revolt by Antonio Córdova and his followers and had so remained since the time of Francisco Vázquez. And that he has discovered that this revolt was carried out with the compliance and by the fault of Alonso Vázquez and Juan Vázquez, sons of the said Francisco Vázquez.

And that after having pacified the whole territory and punished some of the offenders, he went into the interior territory towards the South Sea and settled there a *pueblo* in a very good place and gave to it the name of *Resurrección*; which *pueblo* and the territory in which he is pursuing his enterprise is located outside of the district of the Province of *Veragua*.

And that the said Governor has done and is doing this at his own expense and has already expended more than twelve thousand pesos of gold, as Your Majesty has learned and knows by reports from the towns of this Kingdom of *Tierra Firme* and will be more completely proved by the three inquests of witnesses that he is forwarding.

In consideration of which he begs Your Majesty to be pleased to allow him to continue his enterprise and to pursue it as he has begun it, and that he may be granted the Government of *Veragua* and of what he is now conquering, and be appointed *Adelantado* thereof. And also that he may make allotments of Indians to those who are helping him in the settlement of the territory, and with these grants he will receive a very great favor.

Furthermore, since Your Majesty has been pleased to appoint Luys de Guzmán to conduct the impeachment of the said Governor (Figuerola) before the end of his time in *Tierra Firme*, he begs Your Majesty to order that in the said impeachment he may be represented by an attorney, especially since he is absent on account of the said enterprise and conquest in which he is occupied, etc.

Concerning this memorial the following was decreed: Let the impeachment proceed, the proper disposition will be made.

Madrid, January 9, 1562.

SANTANDER.

Capitulación with Captain Diego López for the Conquest of Taguzgalpa. Doc. 234

SANTIAGO DE GUATEMALA, November 26, 1576.¹

* * * * *

Whereas Captain Diego López, desiring to serve God Our Lord and His Majesty, and that our holy Catholic Faith shall be exalted and the revenues and Royal patrimony increased, has prayed His Majesty to grant him the favor stated in the said Royal Cédula (of February 10, 1576), in execution and fulfillment of what was promised him, he (Captain Diego López) has agreed with the said Judge representing His Majesty as follows:

* * * * *

Firstly: His Majesty shall make him his Governor and Captain General of the said province, which comprises all the territory that is included from the mouth of the *Desaguadero* on the North side as far as Cape *Camarón*, in the same direction where the Province of *Honduras* begins, with all the territory towards the interior, as far as the actual boundary and jurisdiction of the Province of *Nicaragua* and *New Segovia* and that which belongs to that of *Honduras*. And the said Captain Diego López shall enjoy this Government for all the days of his life with a salary of two thousand ducats paid from the Royal property and products that may belong to His Majesty in the said province; and if there are none, His Majesty shall not be obliged to pay anything whatever for the said salary. And after the death of the said Diego López, his first born son, or his son-in-law, succeeding him by inheritance, shall succeed him in the same government, if this successor has the necessary qualities and if His Majesty is pleased to grant it.

* * * * *

I, Francisco de Santiago, Royal notary of His Majesty and of the Royal Audiencia and Chancery of the City of *Santiago de Guatemala* by His Majesty had it written, and I was present at the making of it and put here my mark.

And I certify that the aforesaid is true.

FRANCISCO DE SANTIAGO, *Notary*.

¹ Archives of the *Indies*. *Patronato*. Shelf 1, Compartment 1. *Documentos inéditos del Archivo de Indias*. Vol. XIV, p. 528.

Doc. 235 Royal Cédula, Concerning the Plan of Aggregating the Province of Costa Rica to the Audiencia of Panama.

MADRID, July 30, 1627.¹

THE KING:

To Don Juan de Echáuz, Knight of the Order of San Juan, my Governor and Captain-General of the Province of *Costa Rica*, or to the person in whose charge his government may be:

On the part of the city of *Cartago* of that province, and in the name of its residents, a statement has been made to me that it is distant from that of *Guatemala* 280 leagues, and it is by way of *Nicaragua*, and that of the 100 leagues that must be travelled to reach this latter, 80 of them are not settled, and there are therein many large rivers, which it is difficult to cross during the greater part of the year, for which reason many people are drowned; and in so long a journey it is very expensive, and as there are many marshes and swamps during most of the year it cannot be travelled. Therefore, the residents who are compelled to go on peremptory business which concerns them in the Audiencia of the said city of *Guatemala* endure great toil and discomforts and run the risk of losing their lives; and also on account of the difficulties mentioned and the road being so long, it is impossible to carry the products of the land, and not being able to carry them they do not have any money nor anything else with which to provide for themselves.

For this reason they suffer greatly from want and find no help in that city, it being so far; and when there is anything sold to them it is with the charge that it shall be paid for per diem and salary, at two *pesos de minas* for each day; and not being able to take out their products they are not able to pay according to the terms that are fixed; and the judges go with the said salaries, and merely to go and return it takes a hundred days, so that this amounts to such a sum that no fortune, however large it may be, is able to satisfy it. For that reason that country is ruined and exhausted and the city of *Esparza* is deserted, and they have to abandon their suits because unable to pay such excessive costs

¹ General Archives of the Indies. Shelf 64. Compartment 1. Bundle 1. Fernández, V, p. 270.

and endure such labors, and many cases are given up which have been pending a long time. And the natives of that province are being exhausted, because the President of said Audiencia places over them four *Corregidores* subordinate to said Audiencia, and although the natives are greatly wronged by them, they submit, it being impossible for them to go and ask for justice, being so poor that the greater part of them go naked;

And with these a great many other difficulties would cease if I should direct that that province be added to my Royal Audiencia of *Panama*, it being so near that it is only 24 to 30 hours travel by sea, and 48 leagues by land; and the residents would be able to go on their business with comfort, having ports to which ships generally go with flour and maize biscuits and other things necessary for the sustenance of the said provinces, and for *Portobelo* and the fleets; and with this they would be able to attend to their business and would engage in trading and my income would be increased;

And that province being subject to the said Audiencia of *Panama*, vessels would be built there, on account of the ease with which timber can be procured and other things and they could be made at less cost than in other places;

And the Indians of the Valley of *Duy* and *Talamanca* would to reduce in a short time by establishing the communication with said Province of *Panama*, from which great advantage would follow, for the rebellious Indians are very many, with large settlements, the land is very fertile and there is much gold, and when conquered that province will be important and rich;

And there is a road by land to the said Province of *Panama* of only 160 leagues by which they take many droves of mules, and along it there are many settlements of Indians, and although they are not subdued they give aid to travellers, and they go laden with gold, for there is much in the country;

And with this will be settled the said city of *Esparza*, which, as has been stated, is now deserted;

It petitions me, in view of the reasons stated, that I should command that this province be subordinated and made subject to the said Audiencia of *Panama*, since from it there are to follow the useful things and advantages mentioned;

And there having been considered in my Royal Council of the Indies what has been stated by that city of *Cartago* in relation thereto, and what my Attorney General of my said Council says and alleges concerning it, because I wish to know the advantages or difficulties that would follow from granting what that province requests, and the distances in leagues from one place to another, I direct that you inform me concerning the same with much particularity and clearness, and the rest in relation thereto that it concerns us to know, with your opinion, addressed to my said Council in order that, having this under consideration, there may be provided what is most desirable.

Dated at Madrid, July 30, 1627 years.

I, THE KING.

By order of the King, our Master:

DON FERNANDO RUIZ DE CONTRERAS.

Doc. 236 Royal Cédula Concerning the Plan of Segregating the Province of Costa Rica from the Audiencia of Guatemala.

MADRID, June 15, 1628.¹

THE KING:

To Don Juan de Echáuz, Knight of the Order of San Juan, my Governor and Captain-General of the Province of *Costa Rica*:

In one of the paragraphs of a letter written to me by the Royal Audiencia of *Guatemala*, dated July 11th of the past year of 1627, it is stated that that said province of yours is three hundred leagues from *Guatemala*, by a bad road (a part of which is a wilderness) over very dangerous rivers, making it very difficult for my subjects who have legal proceedings and correspondence; and that the said province is a little more than a hundred leagues from *Panama*;

And it is also stated that the Province of *Tabasco*, which belonged to the said District, is something more than a hundred leagues from *Guatemala*, and that the inhabitants of the former

¹ Archives of the Indies. Shelf 64. Compartment 1. Bundle 1. Fernández, V, p. 273.

are very desirous of being annexed to the latter, because it would be more convenient for them, *Tabasco* being so very far and across the sea from the Audiencia of *Mexico* to which it is made subject;

And it (the Audiencia of *Guatemala*) begs that that said province of yours (*Costa Rica*) shall be aggregated to that of *Panama*, and that that of *Tabasco* shall be aggregated again to that of *Guatemala*.

Wherefore, since the matter has been considered in my Royal Council of the Indies, and since I desire to know what you may have to say in this matter, I command you to report to me very particularly about it on the first occasion.*

Done at Madrid, on the fifteenth day of June of the year one thousand and six hundred and twenty-eight.

I, THE KING.

By command of the King, Our Master.

Don FERNANDO RUIZ DE CONTRERAS.

Answer of Governor Don Rodrigo Arias Maldonado to His Impeachment.

Doc. 237

CARTAGO, October 16, 1665.¹

Captain Juan de Acosta, in the name of Don Rodrigo Arias Maldonado y Velasco, former Governor and Captain-General of this Province, answering to the charges that have been made to te latter in the impeachment now in process—

States in the most convenient way, the right of my party, and in regard to the first charge made against him that he sent a quantity of flour and maize biscuit to *Portobelo*, Kingdom of *Tierra Firme*, and that for this my party cultivated a farm, I deny that he did this. And stating the case as it really happened, I say that the said Captain Don Rodrigo, before having been appointed Governor, was *Corregidor* of the District of *Turrialba* in this jurisdiction, and had other business in which he made some money; and with this money and what he already

¹ Archives of the Indies. Office of the Notary of the Chamber. Guatemala. Bundle 4 of Impeachments. Years 1673 to 1677.

had he determined to make a voyage to the said city of *Puertobelo*, embarking at the port of *Suerri*, and to this end he bought from several persons a quantity of *fanegas* of wheat. And at this time, the Campmaster, Don Andrés Arias Maldonado y Velasco (my party's father, whom he succeeded in the said Government) died, and he found himself embarrassed with the said wheat and was obliged to get rid of it, because he could not undertake the said voyage. And thus he resolved to have it milled and send it in flour and biscuit to the said city of *Puertobelo* and use the proceeds for the purchase of fire-arms, powder, lead, matches, coarse brown linen wraps and other supplies for the undertaking of the Province of *Talamanca*, which he had already planned with the license of His Worship the President of the Royal Audiencia of *Guatemala*, Governor and Captain-General of its district. And the said arms and ammunition for the said enterprise were bought, as it is a public and notorious thing, and Sergeant Francisco Carrillo went with Indians to the port of *Suerri* and brought them to this city by order of my party.

And what was a very good service to the King, our Master, and deserving of reward and honor, it is now attempted to make appear as a fault, as the Ensign Juan Vázquez did in his deposition which was far from truth, this witness being a great enemy of my party, because he (Don Rodrigo) was going to proceed against his son Antonio Vázquez, who, having been commissioned by him as Captain of the Spanish infantry for the said undertaking, and unfearful of the Divine and Royal Majesties and careless of his reputation, honor and obligations as such Captain, ran away from the said Province of *Talamanca*, abandoning my party, who was his Captain-General, and the flag of his Company.

And moved by this hatred, the said Juan Vázquez, his father, has deposed in the secret inquest, unfearful of God, Our Lord, and of his conscience. And this appears to be so from his statement that my party cultivated a farm, and he does not say where and with whom he did it; and the said Juan Vázquez knows it very well, because he lives in the said valley, at a league's distance from the farms of the Major-Ensign Juan de Chaves and Captain Manuel Gómez, both mentioned by him. And being so inquisitive about other people's lives and especially the lives of

his superiors for occasions like the present impeachment, he necessarily must know with certainty who was my party's partner in the farm. And if his deposition was a true one, the other witnesses would have deposed the same thing. And not having done so, the mischievousness of the said Juan Vázquez is proved and therefore his deposition must be objected to in Law, and because he has been the only one to impudently accuse my party and also many other persons. Therefore, his deposition and charge falls *in totum* and my party cannot be affected by it, not only on account of what has been stated but by being the only witness that says such a thing.

And in regard to the charge made against my party that he permitted gambling in his house, I say that a Judge does not commit any fault by permitting that some friends and residents amuse themselves in his house with a legitimate game without detriment to their fortunes, nor does the said Judge commit any fault if he amuses himself also in that way; and I say this in case my party may have so amused himself on some occasion; but this is improbable because he had no time for it on account of the business and preparations for the undertaking of the said Province of *Talamanca*, to which he went three times. The first time he arrived at a place called *Urinama*, where he made a settlement and gave to it the name of *San Bartolomé de Duqueiba*, and there he built a church and a convent and settled a great number of Indians under a Christian and lawful policy, as they are now settled.

And considering the very good service that he then made to God and to His Majesty by the subjection of so many souls; and that for the good and benefit of this Province he went there a second time and entered into the District of *Tariaca*, on the North Sea, at a distance of sixty leagues from this city over bad roads, very large rivers, marshes and mountains, and subdued the Indians of the said district and settled them in the same manner as he did the former ones, giving to them axes, *machetes* and other tools for their work and agriculture, and to the Indian women clothes made in the country, ribbons and *chaquiras* (necklaces of shells), befriending the said Indians and making gifts to them at his own expense, with the object that the *Talamancas* (who are their neighbors), by getting knowledge of this, should not oppose their subjection because this would be good

for the service of the Divine and Royal Majesties and an advantage to these Provinces and the Kingdom of *Tierra Firme*, on account of the vessels which go to those ports coming from the cities at *Puertobelo* and *Cartagena*, because those Indians are located near the said Sea and ports and they could furnish provisions and give help to them, in case of need, and to the Spaniards also who live in the said territory and cultivate cocoa, by which means the Royal taxes would be of great importance for the Royal Treasury. •

And taking into consideration all the aforesaid, as soon as my party arrived to this city after the second expedition, he managed in a friendly way to induce some of the prominent Indians of the said Province of *Talamanca* to come here; and he succeeded, and some *caciques*, governors and headmen of that Province came to see my party and he had them in his house as his guests, clothed and treated them with great friendship and kindness. And the said Indians, feeling grateful, promised my party that whenever he should go to their Province, they would accept the Catholic Religion and yield obedience to His Majesty. And my party, believing it, determined to go to the said Province for the third time, relying on the Captains and the other officers and soldiers, whom he had commissioned for the said expedition and who had enrolled themselves as volunteers; and with all of them he left this city, relying on them and, furthermore, being encouraged by a report made by the Municipal Council of the said city and many letters of residents, ecclesiastical and secular persons, and another report of the City bearing a hundred signatures more or less; all these documents stated how advantageous the expedition would be, and my party advised the said President, General Don Martín Carlos de Mencos, Knight of the Order of Santiago, of all the aforesaid, and he was pleased to enlarge the license for the said expedition.

And my said party, at great expense from his own fortune, prepared himself and started on the said expedition, moved not by his own interest but by desire of serving the Divine Majesty, the King, our Master, these Provinces and the Kingdom of *Tierra Firme*. And the said Captain Don Rodrigo Arias would have succeeded in the said expedition, but on the most favorable occasion the captains, the sergeant-major and the other officers

and soldiers who followed them abandoned him when he already was in the said Province of *Talamanca* twenty leagues towards the interior, having subdued all of the Indians of that territory and settled them five leagues above the pueblo of *San Bartolomé* that has been mentioned, giving to the new one the name of *San Francisco de Conamara*, baptizing a great number of Indian men and women, who already were able to be baptized, without taking account of the children, who were baptized by the Padre Preacher, Fray Pedro de Oses of the Seraphic Order, who keeps the books of baptisms. And the purpose of my party would have been realized if he had not been left alone and abandoned in those mountains and wastes with His Majesty's flags by the captains, officers and soldiers. And he was also in great danger of losing his life, but God, Our Lord, made the Indians of that territory to show themselves so humble and subdued, that when they saw my party, the said Captain-General, with four men only, they took him out from there and accompanied him to the settlement of *San Bartolomé*, where the baggage had remained under the care of twelve or thirteen soldiers.

And it was on account of the said officers and soldiers having abandoned him secretly, returning to this city and to their houses, that the purpose of my party relating to the service of the Divine and Royal Majesties, and the other advantages already stated, were not realized. And it was impossible for him to prosecute his expedition and he came back to this city and reported the matter to His Worship, the said President, forwarding also some legal proceedings and certificates from several ecclesiastical persons. And His Worship having seen these papers and considering that it was necessary to punish the culprits, but that by doing so this City and Province and residents would be destroyed, he was pleased, in order to avoid this evil, to let it pass for the moment and he ordered the inquest stopped. And it appears that afterwards His Worship and the gentlemen of the said Royal Audiencia of *Guatemala*, by request and report of the said my party, were pleased to give a commission in due form to the Sergeant-Major Don Juan de Espinosa Pedruja, *Alcalde ordinario* of the city of *Granada*, Province of *Nicaragua*, to come to this Province in fulfillment of it, and he could not come. And the said gentlemen then entrusted the execution of

the said commission to Captain Don Juan de Obregón, *Alcalde mayor* of the Province of *Nicoya*, who, in order to prevent his refusal to come to this Province and to let him have more authority in the execution of the said commission, was appointed by the said President as Governor and Captain-General of this Province to succeed Don Rodrigo Arias Maldonado, whom he appointed *Alcalde mayor* of the said Province of *Nicoya*. And the said Judge and Governor, Don Juan de Obregón, having arrived here, after he took possession of the Government tried to execute his commission, and the residents of the said Province having seen his disposition and how grave were the proceedings and their guilt resulting from them, the citizens in a body presented a petition, and the Municipal Council another, to the said Judge and Governor, Don Juan de Obregón, begging him to stop the execution of the said Royal commission until he could report to His Worship, the President and to the Judges of the said Royal Audiencia the inconvenience that would result therefrom. And by reason of these petitions, both the citizens and the Municipal Council lost any right they might have had against my party, who, likewise, forgetting grievances, presented another petition giving up what he had to demand against the said residents, as appears in the said petitions which are in the hands of Your Honor. I beg that a legalized copy of those documents shall be added to these proceedings.

And the said Judge and Governor and Captain-General, Don Juan de Obregón, having seen the petitions of the said city and Municipal Council, and having been already informed of all that has been hereabove stated and moved by pity and fearing the destruction of the residents, and especially to avoid false oaths, resolved to stop the execution of the said Royal commission until he could report to His Highness (the Audiencia) who gave it to him. And for this he ordered legalized copies of the said petitions to be made and sent them with his report to the gentlemen of the said Royal Audiencia, who were pleased to confirm the resolution of the said Governor, Don Juan de Obregón, and the residents of this city were satisfied.

And, during the two years and a half that my party served as Governor, he spent most of that time in all this business and in the expeditions to the territories mentioned, so that he was not

six months in this city, and while here was always busy with affairs concerning the Royal service and the welfare of the Indians, visiting their *pueblos*. Therefore he could not gamble or have gambling of any kind in his house. And supposing that on some holiday he may have played *Ombre*—which I also deny—to amuse himself, this is not a fault and he cannot be charged for it, since the games forbidden by the Royal Person are those in which a fortune may be lost, or when the residents or other persons should be forced to play. Therefore, my party is free from these charges, because he does not appear guilty.

And there must be taken into consideration the good service he has rendered to God, Our Lord, to His Majesty and to these Provinces, with so much detriment to his health and fortune, on account of which he is now in a state of notorious poverty, by reason of the great expenses made in the said expeditions, as it is proved by the inquest made by him in this matter, of which he has forwarded legalized copies to the King, our Master, to his Royal Council of the Indies and to the Superior Government of the said city of *Guatemala*.

Therefore, Your Honor, acting in a just manner, as being such an honest Judge to whom the King, our Master, and the said Council of the Indies have committed the honor and good reputation of their Ministers in this impeachment, must shelter my party and honor him by the sentence that you may be pleased to pronounce, acquitting him without costs, on account of his said poverty; and, declaring that the two said charges are false and that it is not necessary to prove this falsehood, because it is a public and notorious thing; and on account of his good service, the hardships he has suffered in this Province, the expenditure of his fortune and also the good service of the said Campmaster, Don Andrés Arias Maldonado y Velasco, father of my said party, you will rather be pleased to suggest in your sentence to the Royal Person and to his Royal Council of the Indies that he may be honored and his service rewarded according to the Royal will.

Therefore, I beg and pray Your Honor to receive this answer and the legalized copy of the despatch of His Worship the said President, Governor and Captain-General of this Kingdom of *Guatemala*, and also two certificates delivered by two Padre

Friars of the Province, in which is stated and proved all that I have said in this paper, and I present all these documents with the formality prescribed by law, in order that they shall be filed with the charges, answers and sentence of my party in this impeachment. And Your Honor will be also pleased to make appear before you the Sergeant Francisco Carrillo in order that he may depose relating to the arms that he brought by order of my party from the port of *Suerri*, as I have stated. And after this has been done, Your Honor will provide and pronounce his sentence as I have petitioned, because it is just. I swear in due form in the name of my party and before the Royal office of Your Honor.

JUAN DE ACOSTA.

The aforesaid presented this petition with the documents mentioned therein to Captain Don Juan López de la Flor, Governor and Captain-General and Judge assigned to impeachments, in the city of *Cartago*, the sixteenth day of October of the year one thousand six hundred and sixty-six.

And His Honor, having seen it, received all the documents and ordered them to be filed with the proceedings and that the deposition asked for shall be taken. And he signed it.

DON JUAN LÓPEZ DE LA FLOR.

Before me:

JUAN GUIJARRO,
Royal Notary.

Doc. 238 Certificate of Fray Juan de San Antonio in Favor of Don Rodrigo Arias Maldonado, Governor of Costa Rica.

CARTAGO, October 19, 1665.¹

I, Fray Juan de San Antonio of the Order of Our Father St. Francis, Vicar-general and ordinary member of the Chapter of this Province of St. George of *Nicaragua* and *Costa Rica*, at present Guardian and Curate teacher by the Royal Patronage of the Convent and District of *Nuestra Señora de Uxarrasí*, give the present certificate for what it may concern; and if it should be necessary for its greater force and credit, I swear *in verbo sacer-*

¹ Archives of the Indies. Office of the Notary of the Chamber. Guatemala. Bundle 4 of Impeachments—Years 1673-1677.

dotis that everything that I certify in it is wholly true; and that in giving this certificate my sole purpose is that of charity, because I know that it is just and deserved by the conduct of General Don Rodrigo Arias Maldonado y Velasco, who has been Governor and Captain-General of this Province of *Costa Rica*, and with whom I was connected during all the time he was Governor, because I was then Guardian of the Convent of this City of *Cartago*.

And in all his acts and obligations of his Government, I always found him to be very attentive to the service of both Majesties careful with the churches and their needs and very good to the poor. And no person, of whatever condition he may be, could justly complain of having suffered any harm from him. And he always protected and defended the Indians of this Government and treated them kindly taking into consideration their bad inclinations.

And according to all that I know and understand he has been a Christian Governor, fearful of God and very careful with the service of the King, our Master. And his zeal, inherited from his ancestors, and his noble obligations led him to undertake the expansion of the Royal Empire of the King, our Master, and the increase of souls into the fold of the Church who by the blindness of heathenism are still out of it, as are the Indians of the Province of *Talamanca*, the conquest of which has been attempted from many years ago to the present time, without securing it; and as it is a very important matter for the service of both Majesties and the aggrandisement of this City of *Cartago* and the Province of *Costa Rica*, the said Governor, Don Rodrigo Arias, having had a very good opportunity with great facility to subdue the said Indians and bring them to the knowledge of our Holy Catholic Faith and the obedience that they owe to our Catholic Monarch (May God keep him), he discussed the matter with the residents of this said City of *Cartago*, both with its municipal council of *Alcaldes* and Aldermen, as well as with each one of the individuals, and he took the best advice and opinion of ecclesiastical and secular persons; and they all unanimously agreed to write to the President of the Royal Audiencia of *Guatemala*, Don Martín Carlos de Mencos in order that His Worship, hearing the opinion and advice of the Judges of the said Au-

diencia, should grant the license in due form to undertake the said conquest. And there was forwarded a public report of the said city and municipal council and many letters of individuals and clergymen asking for the said license and stating the said facility and how the residents were ready to go voluntarily at their own expense to the said conquest; and there were sent more than a hundred signatures of prominent citizens of this said city as stated.

And the gentlemen of the said Royal Audiencia, that is to say, the President and Judges, were pleased to send the said license that was asked for and it was forwarded with the Royal seal and under the authority of the Royal name of Philip IV., the Great, our King and Master (May God keep him), in order that the said General Don Rodrigo Arias might undertake the said conquest, giving to him the powers that are given to Generals in such cases. And being provided with these powers, the said General prepared the undertaking, spending therein, as he did, a great deal of money, and giving, as he did, to all the Spanish soldiers and for everything from his own fortune, notwithstanding they had offered to go at their own cost and expense; and in my opinion more than 150 enrolled themselves and appeared on the general muster-roll made in this City of *Cartago*, and also 30 mulatto soldiers and 125 Christian Indian servants, who went to serve, to transport provisions and military supplies, as well as to help the militia in case of necessity. And to all of them he gave, as I have said, travelling clothes, arms and ammunition, giving to each one the proper things, that is to say, to the Spaniards and mulattos arquebusses, matches, powder, bullets and *machetes*, and to others spears and arrows, and to the *Rodeleros* (soldiers armed with a shield or target) *machetes* and round bucklers; and to all of them he gave a salary graded according to the quality of each person, spending in this his whole fortune.

And he started from this city of *Cartago* with great splendor and many supplies, having sent ahead 150 mules packed with provisions and, in my opinion, 100 heads of beef cattle, all these things being of public knowledge and notorious, and I certify them as an eye-witness who went with him to the said undertaking, because I deemed it to be very useful for the service of both

Majesties since it was expected to be very successful, and I think it would have been if some accidents that I do not desire to state had not hindered it.

And he arrived with the soldiers, provisions and ammunitions, although with great difficulties on account of the great ruggedness and impassableness of the roads, but the skill and activity of General Don Rodrigo Arias overcame everything to the great admiration of all and of myself, so far as to make us believe that he was favored by Divine help, God giving us to understand in that way that he was pleased by the undertaking, and this made us think that it would be successful. And I confess that I went as far as saying what St. Luke said of John The Baptist, without pretending to make a comparison: "*Manus Domini erat cum illo.*"

And he made a large settlement, to which he gave the name of *San Francisco de Conamari*, composed of Indian men and women, adults and children, who were taken from the *palenques* located in the neighborhood of the *Ateos* (who are in the center of *Talamanca*) and he overrun the territory at war for more than twenty leagues towards the interior without encountering any opposition nor being necessary to fire a gun, the Indians rather showing themselves disposed to accept our Holy Faith and to yield obedience to our King.

And whilst he was in the said settlement of *Conamari* preparing the entry into the stronghold of *Talamanca*, in which he thought he would not find any opposition, and just as his soldiers were congratulating each other for the success of the undertaking, one night, with great secrecy, the officers of the militia deserted and with them nearly all of the soldiers. On account of this the said General found himself without means to prosecute his work and obliged to retire with the very few, and sick, men left to him and return to this city of *Cartago*; this he did, and I came with him. Of this desertion a report was sent to the President, Don Martín Carlos de Mencos, and as it doubtless appears more completely in the papers relating to this case, I omit the details in order not to be tedious.

And only because I have seen that some persons (perhaps in order to excuse those deserving to be punished, or to shield their friends from danger) have tried to discredit the person of the said General Don Rodrigo Arias in his impeachment, which

is now in progress, I have deemed it best, for the sake of God and my obligations as a priest, that I should certify, as I do certify, what is stated herein, in order that the credit that the said General Don Rodrigo Arias so well deserves, as a man so worthy of being rewarded by His Majesty, may not be hidden by the darkness of the bad intentions of some men, who unfearful of God and careless of the Royal service, are trying to discredit the person of General Don Rodrigo Arias, who I will certify again, as I do, deserves the reward that His Majesty may be pleased to give to him, for his good service which I have seen, although the undertaking did not have the success that was expected on account of the reasons that God knows and I do not; because a General having bad luck, in spite of his great activity, is not a new thing; but this is not a reason for not deserving a reward, as General Don Rodrigo Arias Maldonado deserves one for the reasons stated, which are wholly true according to the oath I have given and that I now give again.

Done in this city of *Cartago*, on the nineteenth day of October of the year one thousand six hundred and sixty-five.

Signed with my hand and with my name.

FRAY JOÁN DE SAN ANTONIO.

Doc. 239 Sentence in the Impeachment of Don Rodrigo Arias Maldonado y Velasco, Governor of Costa Rica.

CARTAGO, November 10, 1665.¹

In the impeachment of Captain Don Rodrigo Arias Maldonado, my predecessor, who has been Governor and Captain-General of this Province during two years and a half, which impeachment has been pending before me by commission of the Royal Council of the Indies and is now definitively closed,—

Having seen it, as well as the statements, allegations, evidences and exceptions presented by Captain Juan de Acosta, attorney of Don Rodrigo Arias Maldonado, and also all the other documents that it was deemed convenient to see in this matter, &c.;

I decide: Considering that from these proceedings it results that the said Captain Don Rodrigo Arias Maldonado, and in his name his said attorney, has answered satisfactorily the two charges that I made against him; and that in general he discharged in a just and Christian manner the office of such Governor and Captain-General, which he held during the said time to the satisfaction of the residents, taking a Christian care of the Divine Worship, punishing the public sins, visiting the *pueblos* of the natives of this Province and being attentive to their education, teaching, welfare, protection and preservation;

And that he served the Divine and Royal Majesties at his own cost and expense in the three expeditions he made going from *Tierra Adentro* to *Urinama*, *San Bartolomé de Duqueiba* and Province of *Talamanca*, in which expeditions he subdued some Indians to our Holy Catholic Faith and spent in the same and the settlements he made his small fortune, as appears with more details in his allegation and the license that he had from His Worship, General Don Martín Carlos de Mencos, Governor and Captain-General of the Royal Audiencia and Chancellery of the City of *Santiago de Guatemala*, for the expedition and subjection of the Province of *Talamanca*, which license is filed in these proceedings;

And considering the good service that the late Campmaster Don Andrés Arias Maldonado, his father (who was Governor and Captain-General of this Province), rendered to His Majesty; and that he (Don Rodrigo Arias Maldonado) has not been charged with any excess in his administration of justice, nor for personal debts, this being satisfactorily proved;

Therefore, I have to absolve and do absolve the said Captain Don Rodrigo Arias Maldonado of the two charges stated. And I declare that he has been a good, just and honest Judge, worthy that His Majesty (May God guard him) and his Royal Council of the Indies should employ him in similar and higher offices of his Royal service and grant to him favors according to his Royal will.

* * * * *

The foregoing sentence has been pronounced by His Honor,

the Captain Don Juan López de la Flor, Governor and Captain-General of this Province of *Costa Rica* and Judge of Impeachments by His Majesty, and he has signed here his name, being at public court in his house, in this city of *Cartago*, on the tenth day of the month of November of the year one thousand six hundred and sixty-five.

Witnesses, Francisco Sáez de Espinosa and Nicolás de Céspedes, who were present.

Before me:

JUAN GUIJARRO,
Royal Notary.

MISSIONS OF TALAMANCA.

Doc. 240 Report of the Engineer, Don Luis Díez Navarro to the Audiencia of Guatemala.

GUATEMALA, April 4, 1771.¹

M. P. S. (Most Powerful Señor):

The Colonel and Engineer Director of the Royal Forces, stations and frontiers of H. M., in the fulfillment of the superior decree of His Highness, which precedes, and request of the Señor Fiscal, states:

That the missions which are located in the Province of *Talamanca* are distant from the city of *Cartago*, the capital of the Province of *Costa Rica*, a hundred leagues, going by the coast of the South Sea, the Royal highway for the kingdom of *Tierra Firme*, but if one goes by the North Coast it is a little more.

In the said capital the Reverend Fathers, missionaries of the *propaganda fide*, are located, where they have a hospital, from whence it appears that they go forth for the said missions, into the most rugged, swampy and mountainous lands; and they cross a great number of large rivers in regions where the bar-

¹ Archives of the Indies. Audiencia of Guatemala. Despatch concerning the mission of sixteen Religious (*Espediente sobre la mision de diez y seis religiosos*). Years 1787:—Guatemala, 1782. Current file of Missions, fol. 95 to 97. Peralta—*Costa Rica y Colombia*, p. 191.

barous tribes dwell in huts of straw, in the country extending between the South Sea and that of the North, which in that locality is more than a hundred leagues wide, and in length it is about two hundred, as far as the frontiers of Veraguas.

These Indians are made up of various tribes, and especially of two, which are the most powerful, called the *Térrabas*, who are on the South side, next to the settlement of *Boruca*; and the *Nortes*, who are on the side of the North Sea. These latter along the last named sea border upon the mouths of the River *Almirante* or *Estrella*,² and upon an island that was inhabited, called by them *Tójar*, twenty-five leagues to the eastward of the mouth of the River *Matina*; which island in past years was taken and pillaged by the *Zambos* and *Mosquitos*, who are bitter enemies of the *Talamancas*. The latter are constantly receiving injury from the *Zambos*, by which it is clear that they are declared enemies; and although they are distant one from the other upon the same North coast, every year the said *Zambos* and *Mosquitos* arm their pirogues, which are large, very numerous and light. Many times there are as many as forty, and each one with twenty or twenty-five savages. With these, at such times as they deem opportune, they overrun the whole coast, beginning by the Province of *Costa Rica* (called the Gulf of *Matina*), beginning from the mouths of the river *San Juan de Nicargaua*. So, in the cacao plantations, which are located thereon, they do whatever damage they can, carrying away the cacao and even the people (when they can catch them).

From this locality they go to the coast belonging to *Talamanca* and to the aforesaid island of *Tójar*, both of which are held by the *Nortes* Indians of said *Talamanca*. In these places and in their country they do the same as in the province before mentioned; and they make slaves of the people they catch in either one of these localities, selling them to the English inhabitants in the Province of *Tologalpa* and Cape *Gracias á Dios*.

From here they go to the coasts of the Province of *Veraguas*, belonging to the Kingdom of *Panama*, from whence they return

²Colonel Díez Navarro calls the river *Almirante* or *Estrella* the river which Vázquez de Coronado baptized with this name, and which we call the true river *Estralla* or *Tilorio*.

to their homes, which are along the coast from the mouths of the river *San Juan*, *Bahía Grande*, *Punta Gorda*, the *Pearl Islands*, *San Andrés*, *Santa Catalina*, *Cape Gracias á Dios* and as far as the *River Tinto*, these being the localities inhabited by the aforesaid *Zambos* and *Mosquitos* Indians, all in a restless condition.

In the interior of the country they border upon the provinces of *Honduras* and upon that of *León de Nicaragua*, by the district of *Olancho el Viejo*, that of *Olanchito*, *New Segovia*, district of *Tegucigalpa*, that of *Matagalpa* and that of *Chontales*. In this portion are found the river and fort of *San Juan de Nicaragua*; and although high up in the mountains there are Indians, where the Reverend Fathers, missionaries, of Christ Crucified, also, have had and do have their missions and they are more docile, than some other tribes, still by reason of their close proximity to the *Zambos* and *Mosquitos* their subjection is more difficult; for although various efforts have been made, taking them away from the villages that have been subjected, they have quickly gone back to the mountains, because in those localities they are under no subjection whatever.

Turning back to *Talamanca*, I regret that, although the Reverend Fathers, missionaries, enter apostolically and enter with their natural energy into the subjection of those heathens, they will not succeed in any useful way, because the varied extent of that vast country, the great freedom in which they have always lived, their repugnance to domestic subordination, to instruction and a regular Christian life, which they have always shown, afford no room for thinking that they may be subjected as they ought to be. And although the kindness and charity with which the Reverend Fathers treat them is so great that they are trying among those tribes to secure their submission by gentle means, still as long as no force is used for their subjection they will never be reduced to that reasonableness which is necessary in order that they voluntarily profess the law of God; for which reason, unless they are subjected by force, as I have stated, the purpose will not be secured.

And by the other method, even if they do not entirely succeed, the greater part will be corrected, as was shown by the

entry which was made in the year 1748, when an entry was made with one hundred men and two principal commanders, the present Field-marshal Don Alonso Fernández de Heredia governing those provinces as *Comandante General* in military matters, and I being temporary political and military Governor of *Costa Rica*. This entry was arranged for from the coast of the South Sea (the Royal highway for *Panama*), with fifty men and a principal commander; and from the North coast with fifty more, with another commander³, both accompanied by Religious; which entry lasted for five months. And without the loss of a single soldier they were successful in getting out 306 persons of both sexes and with them three villages were settled; with the smallest number, which was 80, that of *Nuestra Señora del Pilar*, otherwise called *Tres Ríos*, near the city of *Cartago*; and another at *Cape Blanco* on the South coast; and a third on the river *del Pegibai*.

With the older ones not much success has been had, because some have died and others have gone back to the mountains. But the younger ones have all done well and there may now be seen a village, the best instructed, the most productive and well cultivated that there is in the whole of this kingdom;—this I carried out and this experience affords me ground for reporting with my usual frankness.

In order that these entries should be successful. I am of opinion that in the village of *San Francisco de Térraba*, next to that of *Boruca*, on the coast of the South Sea, which is the village of the missions of the Reverend Fathers for many years in that place, there should be a camp or headquarters of the troop that is to enter, and from this the departure should be made at opportune times. For this purpose it would be very desirable if some families of *ladinos* (Indians who spoke Spanish) might be settled there, for the greater security and protection of the Reverend Fathers; and in case this is not done those who shall take part in such enterprise will be compelled to wait in such locality as may be the least unsuitable and can be found in those un-

³ This was the expedition directed by the Field-master, Fernández de la Pastora, whose account is inserted in Peralta—*Costa Rica y Colombia*, p. 168.

civilized mountains ; otherwise the missions will go on in the same fashion as they do now, for this is the result of experience.

In the same settlement of *San Francisco de Térraba* the Reverend Fathers will always be present, encouraged by those they have already subjected (as also by those of *Boruca* close by) and it will serve as a headquarters and stopping place for those who are travelling to *Veraguas*, it being the Royal highway for the said Kingdom of *Tierra Firme*, and the Indians that are being converted will be placed in communication, as far as possible, which will result in making partizans. This is my view, which is submitted to the greater intelligence and superiority of Your Excellency.

Guatemala, April 4, 1771.

LUIS DíEZ NAVARRO.

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